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THE

NORTH AMERICAN REVIEW

EDITED BY GEORGE HARVEY.

July, 1905.

Physical Degeneration in Great Britain,
The Rt. Hon. Sir JOHN E. GORST, M.P.

Present Supervision of Life Insurance Companies,
S. HERBERT WOLFE

The Religious Life of the Negro . BOOKER T. WASHINGTON,
Principal of the Tuskegee Industrial Institute.

Publicity in Educational and Charitable Work, W. H. ALLEN,
General Agent of the Association for Improving the Condition of the Poor.

Autocracy and War . . . . . JOSEPH CONRAD

The Industrial Situation in Ireland . . . . . J. W. ROOT

United States Copyright and International Relations,
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Secretary of the Incorporated Society of Authors.

Reform in the Roman Catholic Church,
The Rev. Professor CHAS. A. BRIGGS, D.D.

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Franz Liszt and Princess Carolyne . . . . GUSTAV KOBBÉ

The Political Future of India . Sir HENRY COTTON, K.C.S.I.

Our Neglect of South American Markets, G. A. CHAMBERLAIN,
Lately United States Vice-Consul-General at Rio de Janeiro.

Marriage and Divorce from a Lay Point of View,
ELIZABETH CARPENTER

WORLD POLITICS

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CONTRIBUTORS TO THIS NUMBER.

The Rt. Hon. Sir John E. Gorst, M. P.,
has represented Cambridge University in Parliament for a number of years. He has long been prominent in British politics and has filled with distinction important positions in the public service. He was educated at Cambridge University and became barrister of the Inner Temple in 1865. In 1885-86, he was Solicitor-General, from 1886 to 1891 Under-Secretary for India, and in 1891-92 Financial Secretary to the Treasury. From 1888 to 1891, he was Deputy Chairman of Committees in the House of Commons, and from 1895 to 1902, he was Vice-President of the Committee of Council on Education. He was elected Lord Rector of the University of Glasgow for the term 1893-94. He was the British Plenipotentiary at the Labor Conference in Berlin in 1890.

S. Herbert Wolfe
is a native of Maryland, and removed to New York, where for a number of years he has maintained an office as Consulting Actuary. He has been connected with the Insurance Departments of Maine, New Hampshire, Connecticut, Wisconsin, Minnesota and other States, being employed not only in connection with actuarial matters, but for the purpose of conducting exhaustive examinations of the various companies coming under the jurisdiction of the Commissioners. He is a frequent contributor to technical papers and magazines, and is the author of "Inheritance Tax Calculations," and the compiler of "Investment Directory. —Insurance Companies." He is a fellow of the Royal Statistical Society and of the American Statistical Association.

Booker T. Washington,
a distinguished American citizen of African descent, was born near Hale's Ford, Virginia, about 1859. Having graduated from Hampton Institute, Virginia, he taught in that institution until he was elected by the Alabama State authorities, in 1881, to his present position as Principal of the Tuskegee Normal and Industrial Institute, which he organized and made successful and famous. He has written and

spoken much on racial and educational subjects, and he is the author of several books, including "Sowing and Reaping," "Up From Slavery," "Character-building," and "The Story of My Life and Work."

W. H. Allen

was educated at the Universities of Chicago, Leipsic, Berlin and Pennsylvania. He has made a special study of the sanitary aspects of social work, on which subject he has written much for the periodicals. In 1900-01 he was Secretary of the Committee on Instruction in Municipal Government (of the National Municipal League). From 1901 to 1903, he was Secretary of the New Jersey State Charities Aid Association, and since 1903 he has been General Agent of the New York Association for Improving the Condition of the Poor. He is Secretary of the recently appointed Committee of Twelve (New York) on Hospital Needs and Hospital Finances.

Joseph Conrad

was born in Poland in 1856. In early boyhood he took to the sea, and lived the life of a sailor for nearly twenty years, visiting almost every part of the world. He settled down in London in 1894, and since then he has produced a series of works of fiction which have made him famous—books which, according to a well-known critic, "have no counterparts in the entire range of English literature; they are peculiarly, arrestingly original." Among them are "Almayer's Folly," "An Outcast of the Islands," "The Nigger of the Narcissus," "Tales of Unrest" and "Lord Jim." An interesting study of the genius of Mr. Conrad's work was published in the Review in June, 1904.

J. W. Root

was born in Liverpool and has resided the greater part of his life in the neighborhood of that city. He was formerly engaged in commerce, but for several years he has devoted himself mainly to economic research and literature. He has published several works, the most important of which are "The Trade Relations of the British Empire" and "Tariff and Trade." He has recently concluded a two years' journey of investigation throughout the industrial districts of the United Kingdom, of which his article in this number is the first-fruits.

G. Herbert Thring

was educated at Uppingham School, of which his father was headmaster, and at Oxford. After leaving college, he spent two years in an office on the London Stock Exchange. He was subsequently articled to a solicitor in the City, and then practised on his own account. In 1892, he accepted the post of Secretary of the Incorporated Society of Authors, the membership of which during his incumbency has increased from 800 to 1,500. In 1898, he visited Canada with the object of placing the views of the Society before the Canadian Government.

The Rev. Professor Charles A. Briggs, D.D.,

whose fame as a profound theologian and a conscientious thinker is world-wide, is a native of New York. He studied at the University of Virginia, the Union Theological Seminary in New York and the University of Berlin. From 1869 to 1874, he was pastor of the Presbyterian Church at Roselle, N. J.; from 1874 to 1891, he was Professor of Hebrew, and since 1891 Professor of Biblical Theology, in the Union Theological Seminary. In 1892, he was tried for heresy and acquitted by the Presbytery of New York, but in 1893 he was suspended by the General Assembly. In 1898, he was ordained a priest in the Protestant Episcopal Church. Among his published works are "Biblical Study," "Messianic Prophecy," "The Authority of Holy Scripture," "The Bible, the Church and the Reason" and "The Incarnation of the Lord." His great attainments and services to scholarship have been recognized, through honorary degrees, by a number of institutions on both sides of the Atlantic, including Princeton University and Williams College in the United States, Edinburgh and Glasgow Universities in Scotland, and Oxford University in England.

Robert Atter

is a journalist who has been connected with important papers in America and Europe. For some time he has been stationed in the capital of Poland as the representative of Reuter's Agency, and his article is the result of a study of Polish affairs on the spot.

Gustav Kobbe,

the well-known author and journalist, was born in New York in 1857, and educated at Columbia University and Colum-

bia Law School. He has devoted himself to newspaper and magazine work, and has written voluminously on musical and dramatic subjects. He is the author of "The Ring of the Nibelung," "Wagner's Life and Works," "Miriam," "My Rosary, and Other Poems," and several other successful publications.

Sir Henry Cotton, K. C. S. I.,

has spent the greater part of his life in the Indian Civil Service. Having qualified for that service, he proceeded to Bengal in 1867. Between that time and the date of his retirement in 1902, he occupied the following positions: Under-Secretary to Government of Bengal, in 1873; Registrar of High Court, 1874; Junior Secretary to Government, 1875-77; Magistrate and Collector of Chittagong, 1878-80; Acting Commissioner of Chittagong, 1879 and 1884; Secretary to the Board of Revenue, 1880-86; Commissioner of Police and Chairman of Calcutta Corporation, 1887; Secretary to the Government of Bengal, Revenue Department, 1888; Financial Department, 1889-91; Chief-Secretary to Government, 1891-96; Acting Home Secretary to Government of India, 1896; Chief Commissioner of Assam, 1896-1902.

George A. Chamberlain,

born in Brazil, was educated at Lawrenceville and Princeton. After occupying a position in the American consulate at Bahia, Brazil, he filled the chair of English in MacKenzie College, S. Paulo, and thereafter he accepted an appointment as Deputy Consul-General of the United States in Rio de Janeiro. He was later made Vice-Consul-General. A sudden breakdown in health recently compelled him to leave his post.

Elizabeth Carpenter

is a native of Lancaster, Pennsylvania, where she taught school for a number of years. For some time she was on the staff of the *Philadelphia Record*, and, as a writer on general literature, of the *Household News*. She is the author of a set of charts called "The Student's Guide to General Literature." She now lectures on History and Literature, and has won a reputation for careful and successful work, which owes its distinctive value to her deep interest in the ethical significance of history.

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PHYSICAL DETERIORATION IN GREAT BRITAIN.

BY THE RT. HON. SIR JOHN E. GORST, M.P.

THE people of Great Britain have recently become concerned as to their physical condition, and have been anxiously speculating as to whether it is improving or deteriorating. The first alarm was given by the Military Authorities. The standard of recruits was falling. An increasing proportion of those offering themselves was rejected: and an increasing proportion of those admitted was falling out in the first years of service. A warning from such a quarter, supported by much expert professional opinion, was not to be neglected. But the alarm was reinforced from an entirely independent quarter. A Royal Commission had been appointed to consider the best method of imparting instruction in physical exercises to the children in Scottish Schools. The Commission discovered at the outset of their inquiry, that no satisfactory evidence was forthcoming as to the physical condition, past or present, of school-children; and they came to the wise conclusion that they could give no advice as to exercises till the condition was ascertained. This they proceeded to do by having the children in certain typical schools examined by medical experts. There is no readier and cheaper method of testing the condition of a people than examining fairly chosen samples of the

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children in the schools. It has been adopted in New York, where a Special Commission has discovered that more than half the children examined required some immediate medical attention if they were ever to become normal valuable citizens, and disclosed a terrible amount of bad sight, bad nutrition and incipient disease. The results of the investigation in the schools of Edinburgh were appalling. The report of Dr. Mackenzie, an official of the Scottish Government, who conducted the inquiry, attracted even the attention of the British House of Commons. A demand was made for a similar test to be applied to schools in London and some of the great cities of England, and was promised by the Government. But in the mean while a Royal Commission to inquire into the alleged degeneracy of the British race was announced, and a Committee of high permanent officials was appointed to prepare the way for the labors of the Commission. After a time, the alarm abated, the idea of a Royal Commission was dropped, and the Committee was directed itself to make the inquiry and furnish the report. In the preparation of evidence for the Committee, the condition of the children was officially examined in various parts of the United Kingdom. In one London school, the official witness gave evidence that ninety per cent. of the scholars were incapable, chiefly from starvation, to attend to their school work; and in schools in the northern cities percentages of from fifty to seventy per cent. were found in a similar condition. Several municipalities have tested their own schools in a like manner. These investigations leave no doubt that in the poorer districts of Great Britain and Ireland, a large proportion of the children—the exact proportion there is no evidence to determine—is growing up so deteriorated by starvation and from insufficient and improper food, that they can never become normal citizens, that they will be the seed-bed of disease and crime, and that as long as they live they must remain a burden on society. The Committee, after a long and thorough investigation, in due time made a unanimous Report. Their members represented the Heads of the Elementary Education Departments in England and Scotland, the Inspector of Physical Training, an Inspector of Recruiting, and the Registrar-General of Births. The Report made in August, 1904, which contained a great number of practical recommendations for reform, was received by those interested in public health with consternation and

alarm. It was discussed at Town Councils and Education Committees and in public meetings of every sort. But when Parliament met in 1905, it proved that the only people who had paid no attention to it were the Government. All Departments disclaimed having taken any step to consider or carry out its recommendations, and the Board of Education, when hard pressed, appointed another Committee of junior officials to subvert, if they could, some of its conclusions.

The Committee of 1904 found that there was no evidence of deterioration. No records exist in the present and in the past by which the condition of to-day can be compared with that of former times. They recommended the establishment of such records, so that after the lapse of some years we could ascertain whether we were getting better or worse; but of this proposal no notice has been taken by Government. This absence of evidence was a great comfort to the Committee. They rightly believe that it will allay the apprehensions of that large class which is ever ready to believe the best, when not confronted with evidence of the worst. But if the Report furnishes no actual evidence of deterioration, it suggests reasons for taking immediate steps for dealing with some alarming symptoms of decay. There is a decrease in the birth-rate, especially amongst the richer classes. On this subject a Royal Commission in New South Wales reported last year on the decline of the birth-rate in the Australian Colonies and New Zealand, and the reasons for it. Any one who reads this Report will rise from its perusal with the conviction that, in our country, the race is being propagated by the less fit part of it. There is, moreover, no decrease, but even a slight increase, in the frightful rate of infant mortality. There is the fact that a large portion of our people are always living on the brink of destitution, into which "bad times" or inclement weather may at any moment plunge them, often never to emerge again. What the proportion of the population below the poverty line is, cannot be certainly estimated. About one-third seems to be the opinion of the best authorities. But nobody knows whether this proportion is increasing or decreasing, or whether the indigent classes may not grow in number till they upset the existing order of society. There is the miserable condition of the houses in which not only the destitute, but workers above destitution, live. Municipalities are continually clearing out "slums," but they do not know what

becomes of the inhabitants displaced, and there is good ground for believing that they only migrate to fresh slums elsewhere. There are country districts where no worker can get a decent house to live in. The food of the people, especially of the children, is unwholesome, ill-cooked and served with every discomfort. Life becomes to many a mere struggle for a miserable existence, in which they are well aware that they must finally succumb.

But the Report of the Committee did not end with the finding that there was no evidence of deterioration. It proceeded to enumerate a great number of causes all tending to produce deterioration, to point out palliatives and remedies, to recommend further inquiry in certain directions, and to describe a plan drawn up by the British Association for the Advancement of Science which would have afforded reliable data for taking stock of our population in the time to come. In none of these matters is the Government willing at present to take any concern.

As to the causes of the excessive death-rate of infants, there is no mystery. It is the policy of Poor-Law Guardians to encourage the indigent to let their children struggle into the world without the aid of doctor or qualified midwife. Some are killed: some are injured for life during birth. The demands of our industries almost compel the working-woman to desert her new-born infant for her employment, and thus deprive it of its rightful and natural food. The town with the highest infant death-rate is Preston, a place of women workers, where female weavers earn wages as high as male. The overlooker urges his skilled women hands to remain at the loom till the pangs of labor are upon them, and to return as soon as they can rise from their beds. There is a law, it is true, forbidding the employment of women for a month after child-birth. We recorded our desire to strengthen this law at the Berlin Labor Conference in 1890. It is a dead letter; I never heard of its being enforced. The infants, born, as doctors testify, well nourished, are thus deprived from birth of their mothers' milk, and are left to be brought up by hand. Many die of starvation; many of diseases brought on by improper food; many survive with the seeds of disabling complaints sown in them. Notwithstanding thirty-five years of School Boards, the ignorance of the mass of our young women as to the proper way of rearing infants is profound. The Board of Education is now arranging a new Syllabus to embrace this branch of knowledge.

But, if it is to do any good, the method of teaching must be revolutionized. It is no use to cram young girls with facts, which are produced in an examination, gain a certificate of proficiency, and are then forgotten. The instruction must be practical. Simple maxims, warranted by public medical authority, the application of which is demonstrated by competent women visiting under public sanction the homes of the new-born infants, are what is wanted. There is the example of Elberfeldt and other German cities to show how such a system can be carried out. But the best system and all the knowledge in the world will not enable infants to be brought up by hand, if pure milk of the cow, ass, or goat, the only substitutes for human milk, cannot be obtained. In many districts this is a sheer impossibility. Both Local Authorities and the Local Government Board have powers by statute to secure that the milk supplied by private enterprise shall be pure: but, as the Committee's Report shows, these are in many cases not put in force. In some towns, the Municipality has begun to provide the milk, which is to the infants a necessity of life, at a price which is within the means of their parents.

At the age of three the children are invited, at the age of five they are compelled, to come into the public schools. From that time, they are daily under the observation of public authority till the age of twelve or thirteen. The most complete information as to their physical condition could easily be obtained and recorded; but the opportunity is at present entirely neglected. How many come to school healthy, well-grown, fit to go through the instruction provided; and how many, starved, stunted, ill-developed, and totally unfit for school work—is unknown. Medical authority declares that most, if not all, the mischief done in infancy by starvation and bad food would be undone, if from three to twelve the children were well fed and properly cared for. But the deterioration is allowed to go on unheeded under the eyes of public authority, although the legal right of the children to be well fed and properly cared for is undoubted. In many schools the condition of ailing children is actually aggravated. Fresh air and fresh water are not provided; sight and hearing are injured by exercises or discipline; lessons, driven into children starving or exhausted by labor, addle their feeble brains. A large portion of the feeble-minded children, culled as unteachable from the London Schools, actually recover their mental

powers under the influence of a generous diet. The theory of the "educationist" seems to have been that it is the business of the School to attend to the minds rather than the bodies of the scholars, and that School Authorities have little to reproach themselves with if the children die of hunger, provided they have been duly taught the multiplication-table before they expire. On this theory, a great inroad is now being made, and the School Authorities in the future will be held as responsible for the health, as for the intellectual instruction, of the children who come under their charge. Circulars recently issued by the Local Government Board, and the Board of Education, impose on teachers and managers the duty of making immediate application to Boards of Guardians for relief for children attending school in a state of hunger, and impose on the Guardians the duty of promptly feeding them. The principle cannot stop at this application of it: the School Authorities will be constrained to become guardians of the children's rights in general, and to watch over their health and material interests while at school. The next step ought to be a Medical Inspection of the children in all Public Schools. This has been unanimously recommended both by the Scottish Royal Commission and by the English Committee; and although the Board of Education, having previously had the matter for some years under consideration, still hesitates to use its powers, it will have to yield to public opinion. Every child, on entering school, should be medically examined; the ailing ones classified; and their condition recorded. Treatment, medicine, appliances and diet should be prescribed for those that need medical aid; and the School Authorities should see that they obtain that which is ordered for them either from their parents or, if their parents fail, from the public. The cost of medical inspection would not be great. In the town of Barry, in South Wales, the working-men have volunteered to provide at their own cost a trained nurse to visit their schools. It is estimated that each child will come under her observation four times a year.

National health and vigor depend in a very great degree upon the arrangements made for the treatment of the sick. This is just as true of adults as of children. The interests of society to cure the ailments of the latter are, as we have seen, obvious; their right to care and healing is absolute, and the injury to society caused by neglect is serious and prompt. But the case of

adults is not in principle different. A sick worker is a burden, instead of a benefit, to society at large. The labor by which he adds to the wealth and convenience of the world is suspended; he has to be doctored, physicked and maintained by the labor of others, until such time as he is able again to take his place in the social machine. It is, therefore, the interest of society to shorten as much as possible the period of incapacity of every sick man who is of any use in the world, and to restore him as expeditiously as possible to his normal position. In Great Britain large sums, probably quite enough for the purpose, are furnished by the public, from rates, from voluntary subscriptions and from organized begging. But the application of these funds is in a state of chaos. The various hospitals and institutions overlap and compete with each other. In some quarters there is overprovision: in others, the sick perish unattended to. Hospitals must necessarily be carried on with regard to the requirements of the medical schools to which they are attached. Workhouse infirmaries are managed on the principle of reducing to a minimum the cost to the ratepayers. The healing of the sick can rarely be made the paramount consideration. The treatment of infectious diseases in towns, a branch of sanitary work which is outside the general sphere of hospitals, and is therefore left to public authority, is a fair sample of the confusion which prevails. Two conflicting authorities are involved, the Town Council and the Board of Guardians, each acting independently of the other, with separate rating powers exercised over the same body of ratepayers. The former, experienced in the cost of isolation hospitals, measures of disinfection and the general expense of an epidemic, seek to obtain immediate notice of sickness, and to secure prompt measures of repression. They urge the poor, amongst whom infectious diseases usually take their rise, to send for the doctor on the appearance of the slightest rash on themselves or their children, on the first outbreak of such a complaint as summer diarrhœa. The Board of Guardians, on the other hand, anxious to save the rates and looking no further than the cost of the parish doctor and his drugs, do their best to suppress applications for medical relief, by charging the cost on the applicant, by worrying him for payment, and by summoning him to appear before the Board. They take the greatest credit for the reductions they thus make in the number of such applications. In the result, the poor man is de-

terred from sending for the doctor, unless the symptoms are alarming; the child with the slight rash or other incipient ailment, but otherwise well, is sent to school; and the result is the outbreak of an epidemic. Lives are lost; injury is done to survivors; and the Council draws upon the ratepayers, whose pockets the Board has saved from a small expenditure, for a much greater sum expended in stamping out the disease.

For the neglect of the physical condition of the poor and their children, the rich indeed pay a terrible penalty. The scourge of consumption causes in the United Kingdom one death in eight, and half the deaths which take place between the ages of twenty-five and thirty-five. This disease, we are informed by medical authority, need not exist. It is bred amongst the ill-nourished children of the poor. That is the nursery of its evil growth. In all the schools of our slum districts, young children could be found, if there were medical inspection, in numbers that would astonish the contented optimist, already infected with the malady: unsuspected by parents or teachers, they are already spreading amongst their comrades a disease which is curable even in their own bodies if early detected and early treated. Contagion spreads, seizes upon the children and youth of the rich, and takes its toll of life as above stated. Detection by inspection, and cure at a small expense, of incipient consumption amongst destitute children would save many a young and promising life amongst the rich, and spare many a father and mother the anguish of the loss of the dearest and most valued of their children. It is the same with the infectious diseases of childhood. The breeding-ground of scarlet fever, smallpox, measles and the rest is the bodies of ill-nourished and ill-cared-for children. The schools, as at present organized, are excellently adapted for spreading these complaints. Children driven in wholesale, without medical supervision, must now and then become spreaders of epidemics; the school, from lack of early diagnosis, is not closed till too late; and the rich justly suffer in their children and in their pockets.

The policy of the Poor Law Authorities in doing all they can to discourage application by the poor for medical assistance is radically mistaken. Medical relief does not, according to law, deprive the recipient of his parliamentary or municipal franchise. But by advancing such relief as a loan, by harassing the debtor

by applications for payment, and by making him lose half his day's work by appearing before the Board, the Guardians deter him from seeking medical advice in his own case, and induce him to surrender the legal rights of his child of which he is very imperfectly informed. Free medical advice and free medicines need not in practice discourage thrift, the god of the Charity Organization Society, nor would it relieve the worker of making provision for sickness. Insurance of support for the family of a worker, when he is disabled by sickness from earning their living, is so desirable in our present society that, in some countries, as in Germany, it is made compulsory by law. In our country, it is, though voluntary, very largely practised, and the maintenance of the family, even if the cost of advice and medicine had not to be taken into account, would furnish a motive quite strong enough to promote forethought.

In the case of the ailments of children, free medical advice, free medicine and appliances, and even free food and maintenance in sickness, stand upon many very strong grounds. There is, first, the economic interest of the community. The disablement of a child deprives the community of his future services, and imposes upon it the cost of his future maintenance. It is a short-sighted economy to deter the poor from seeking skilled aid in childbirth, and in consequence to cause damaged and mutilated children to be brought into the world. It is a short-sighted economy to save the rates by neglecting incipient disease, curable in infancy, incurable in after-years. Next, there is the legal right of the children themselves, which cannot be denied without public injustice. They are entitled to advice, medicine and maintenance in sickness, from their parents first, but, in default of receiving it from their parents, from the community at large. Their rights cannot be disregarded with impunity. Then there is the interest of the rich, whose own children die of the diseases generated amongst the neglected children of the poor. Lastly, there is the interest of the Nation and of the Empire in the health and well-being of its people. That causes of deterioration exist which are preventable and curable can no longer be doubted. The first step to take is to let in the light of medical science upon the woful condition of the children of the poor. We have them assembled in our schools, we have nothing to do but to call in the doctors to inspect them, and many ways will be revealed in which

deterioration can be checked, and a stronger, healthier people bred up for our National and Imperial requirements.

The learned and educated classes in Great Britain have done all that lies in their power towards the improvement of the health and strength of the people. By the instrumentality of Royal Commissions and Committees, by articles in the press, by speeches at public meetings, they have persistently called attention to some of the causes which are tending to deterioration. They have discussed and suggested constructive legislation and administration which would remove or mitigate those causes, and produce a great and immediate amelioration in the health of the people. It is the governing classes that refuse to stir in the matter. It is partly apathy, because they do not reflect how intimately the health of their class is bound up with the health of the poor; it is partly fear of expense, because they do not consider how the cost of extirpating epidemics, and maintaining the disabled and incurable, swallows up the little economy gained by denying prompt medical relief to the sick poor; it is partly that they are too much absorbed in Party questions, by which the dignities and emoluments of office are lost and gained, to waste their energies in solving problems which are only worthy of the attention of a "Little Englander." There is thus no prospect of any great improvement in the physical condition of the British people, until the interest of the people themselves is aroused. For anything wrong in the laws and administration of the country, they are themselves to blame. They choose the Parliament and indirectly the Government; they choose the Boards of Guardians, and the Municipal Councils which are the Education Authorities. But they allow themselves to be fooled at election times by silly Party cries and by Party contests about matters which affect them little. They are not yet educated enough to discern their own true interests. So long as they can be got to rush to the poll to vote about a war in South Africa, as to which it would be impossible to explain how it benefited the workers of Great Britain, or so long as they can be excited to frenzy on the question whether a child shall or shall not be taught the Church Catechism, it is unlikely that the governing classes will be disposed to meddle with difficult social problems, though they involve the health and well-being of the entire people.

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PRESENT SUPERVISION OF LIFE-INSURANCE COMPANIES, ITS MERITS AND DEFECTS.

BY S. HERBERT WOLFE, F. S. S.

THERE are some who maintain that State supervision of all kinds is merely a form of pernicious paternalism. Be this as it may, we are brought face to face with the fact that the supervision of corporations is becoming more extensive day by day, and the intention of the Government not only to exercise supervisory functions, but to participate actively in the management of semi-public corporations, is well illustrated by the agitation relative to railroad rate making. Since the State has decided that the best interests of its citizens are served by requiring its physicians, its dentists, its veterinarians and even its barbers (New York State now requires "tonsorial artists" to pass examinations before the State Licensing Board) to demonstrate their fitness to practise, there is no real reason why it should not extend its protective system over the life-insurance policies held by its citizens. In fact, there exists a positive reason why it should do so, inasmuch as, life-insurance being based upon mathematical and scientific principles, its essentials are beyond the knowledge of the average man. Were a banking institution to offer a man six per cent. interest upon his daily balances, he would realize from his knowledge of business conditions that such an offer was inconsistent with proper and conservative banking methods; in consequence, he would decide to have nothing to do with an institution that made such an offer. When an insurance agent, however, offers this same man a policy of insurance, he is unable to determine whether the premiums which he is to pay are adequate, or whether the company standing back of the contract is being conducted along safe lines. It is to be regretted that the history of the past twenty-five years in this country indicates that

mere cheapness has been an unduly exaggerated factor in the mind of the insuring public. The rise of assessment organizations, their wonderful and unprecedented growth and the subsequent failure of many of them owing to the inadequacy of their premiums and their managerial mistakes, all point to the inability of the average citizen to select safe depositories for his insurance premiums.

The State has a vital interest in the successful administration of life-insurance companies. They are encouragers of thrift; upon the death of the wage-earner, the proceeds of the insurance policy are, in many cases, the only barrier between the family and pauperism. For that reason, life-insurance takes its place in the economic structure and occupies a peculiar niche, for it not only encourages habits of economy and compels periodic deposits of money (as contrasted with the voluntary deposits which are made in savings-banks), but it exercises the more important function of distributing the losses of the few among the many. It has been well said that nothing is so uncertain as the date of the death of any particular individual, and nothing is more certain than the number of individuals who will die in any given year. Insurance eliminates the hardship which would be occasioned by the premature death of the individual, in such a way that each of the contributors pays his share of the mathematical probability of his death during the given period. As an illustration of the recognition by the State of this peculiar economic relationship, it may be pointed out that in Europe we find a system of compulsory governmental insurance, covering not only death from all causes, but also disability from accident and disease.

It may not be uninstructive to show by a few concrete illustrations the extent to which life-insurance has entered into the every-day life of the people. The United States leads the world in the size of the companies domiciled within its borders. Taking, for example, the records of three of the largest companies, we find that at the end of the last calendar year they controlled between them $1,242,731,113.35 of assets. Now, bear in mind that an insurance company is not a productive corporation. It receives certain moneys; it invests them; it distributes these funds to the beneficiaries of the policy-holders who die during the existence of their contracts, or to those who, by their survival of a stated period, are entitled to such participation. The

corporation itself is, therefore, merely a collecting and distributing bureau. It produces nothing. It is the receiver, the custodian, the investor and disburser of the funds which its policy-holders pour into its coffers. These remarks are equally true either for the life-insurance company with a capital stock or for one organized absolutely upon the mutual plan. In the former case, there may be some charter or statutory provision which will permit the stockholders to receive certain dividends; but the distinction must be sharply drawn between the capital stock of a life-insurance company and that of an industrial corporation; for, in the latter, the operations are conducted and extended by means of the contributions of the stockholders, while, in the former, the policy-holders contribute the assets.

It has been pointed out that three of these companies alone owned on December 31, 1904, over one and one-quarter billion dollars in securities of various kinds. This great sum represents the contributions of individuals scattered throughout the civilized world, and numbering at that time 2,158,749. The foregoing facts have apparently been lost sight of in the reports of the internal strife in one of these corporations which have recently been so prominent in the daily press. Eminent counsel representing the various factions among the officers and directors have used all of their talents to secure advantages for their respective clients; but the great army of policy-holders, the real owners of the assets of the institution, are a disorganized body unable to protect their own interests properly. The question naturally arises, therefore: "Does the State, after bringing these corporations into being, assume no responsibility for the safeguarding of the interests of the policy-holders?"

State supervision exists in every country. In Germany, the Government not only exercises powers of visitation and supervision over its insurance corporations, but actually participates in the management of their affairs, specifies the mortality tables to be assumed, the commissions which may be paid, the time when their profits shall be distributed to the policy-holders, etc. In the United States, we attempt to supervise our life-insurance companies by means of Insurance Departments existing in each of the fifty-one States, Territories and Districts. These supervisors, in nearly every case, are appointed by the Governors. In a very few instances (Delaware and Wisconsin, for example),

they are nominated as are other State officers and elected by direct vote of the people. They have various titles, usually being called "Superintendent of Insurance" or "Insurance Commissioner." In some cases, the Auditor of State is Insurance Commissioner *ex officio,* and in a perfunctory manner combines the supervision of insurance companies with that of State banks, savings-banks, building and loan associations, etc.

It will be seen from this that the supervising officer is part of the political machinery of the State, and the besetting sin of American civic government—the political pull—is responsible for whatever lack of efficiency there may be in this important branch of the State Government. It is an unfortunate fact that this office, which comes into such close and vital relationship with the interests of so large a number of citizens, should be handed out as a reward for political services. It must not be understood that this is a sweeping condemnation of all Insurance Departments or a denunciation of every Insurance Commissioner, for some have appreciated the importance of their duties, have cast off all political yokes and affiliations, and have succeeded in reforming serious evils which existed in the business. It is merely a criticism of a system which takes men with no technical education, places them in charge of one of the most important bureaus, and then, without regard to their honesty, efficiency or record, sweeps them out of office and hands their positions to some new, inexperienced man as a reward for political services rendered at the last election. This condition of affairs is to be found in nearly every State in this country. The most notable exceptions are the New England States, where many of the Insurance Commissioners have been in office for a great number of years, and are thus, by their experience, enabled to serve the interests of their policy-holders with fidelity and ability.

The method of appointing or electing the supervising officer has been touched upon before referring to the statutes themselves, for, no matter how good or how bad the laws are, their beneficial effect is directly proportionate to the efficiency of the supervising officer. Given a State whose statute-books contain a set of ideal insurance laws, but whose supervising officer is weak and inefficient, and it will be found that the results attained, as far as the interests of the policy-holders go, are inferior to those of some neighboring State whose insurance code is less elaborate,

but where the supervising officer is a man of sterling integrity, imbued with the knowledge of the importance of the duties assigned to him, and determined at all hazards to protect the interests of his policy-holders.

The duties of an Insurance Commissioner are threefold:

First: To see that the insurance laws of his State are obeyed;

Second: To see that the policy-holders receive equitable treatment from the corporations under his supervision;

Third: To see that the corporations receive fair treatment.

The insurance laws of most of the States are in a deplorable condition. They were enacted at a time when life-insurance companies had not attained their present growth, and consequently are inadequate to meet the needs of the present conditions. The chief points of regulation which are aimed at in the insurance laws, may be briefly summarized as follows:

(1) *The establishment of a standard of solvency by which the financial condition of the organization may be tested.* It is apparent that the ascertainment of the outstanding liabilities of an insurance corporation is a much more difficult proposition than is met with in determining the liabilities of any other financial institution. The present value of a life-insurance contract is dependent not only upon the accumulation of interest, but also upon the operation of the law of mortality. A life-insurance company may have more than enough funds on hand to pay all of its accrued death claims, and still be in such a perilously insolvent condition as to render its further operations extremely hazardous. The principles upon which legal reserve insurance companies are founded contemplate the establishment of a sufficient amount in the early years of the history of a life contract to overcome the deficiency in later years caused by the naturally excessive mortality resulting from old age. It is absolutely necessary that a company should have sufficient funds on hand, available for payment in the future, to equal the present value of these contracts. The State, therefore, prescribes a mortality table and a rate of interest which may be applied in calculating the present value of a company's policy contracts. Companies are required to list their policies, send their lists to the Insurance Department of the State in which they are domiciled, and the actuarial department then ascertains the liability on account of such contracts.

(2) *Prescribing the investments in which a company may invest its funds.* It will be recognized that this is one of the most important features of supervision; for, if the funds of a life-insurance company be invested improperly, the entire structure must fall to the ground. The laws of nearly all the States permit companies to purchase sufficient real estate for the conduct of their own business. This has been, by practice, construed to permit a company to erect a large office-building, but a small part of which is occupied for its own operations. It goes without saying, of course, that companies are permitted to take title to such real estate as they are compelled to acquire under foreclosure, although the laws of many of the States require such property to be sold within a given time, usually five years, unless the necessary certificate is secured from some State officer setting forth that a forced sale would result injuriously to the interests of the policy-holders. A large part of the funds of insurance companies is invested in bond and mortgage on real estate, and the laws usually prescribe that such real property shall be improved, unincumbered and worth fifty per cent. more than the amount loaned thereon. The weak part of this requirement is, that it makes no provision for ascertaining the actual worth of the property. The restriction is, therefore, valueless.

The next broad subdivision of investments is the bonds and stocks. The statutes of a State in which are located large insurance interests provide that, after making the deposit with the Superintendent of Insurance, the residue of the capital and the surplus money and funds "may be invested in, or loaned on the pledge of, any of the securities in which deposits are required to be invested, or in the public stocks and bonds of any one of the United States, or, except as herein provided, in the stocks, bonds or other evidence of indebtedness of any solvent institution incorporated under the laws of the United States, or of any State thereof." Companies are not permitted to loan upon or own the stock of any other insurance corporation transacting the same kind of business. It will be seen at once that the field of investment permitted under this act is so broad as to contain, practically, no restrictions. It is responsible for many of the evils which have crept into the business, and which must, in the very near future, be remedied in order that the institution of life-insurance shall occupy its legitimate field. It was never intended

that the funds of any corporation of this kind should be used for the purpose of controlling subsidiary corporations, engaged in the transaction of other forms of commercial enterprises. The spectacle of insurance companies owning the controlling interest in the stock of banks, trust companies, trolley roads and industrial corporations of various kinds, is neither a pleasant nor a reassuring one. The evils to which such a condition of affairs can lead have been given great prominence in recent public prints. If the supervision of insurance companies is to be worth anything, it must, in the very near future, devote its serious consideration to the establishment of more rigorous standards, preventing the use (or misuse) of the policy-holders' contributions for personal gain or aggrandizement. In addition to the foregoing, companies are permitted to loan to their policy-holders an amount not exceeding the reserve which is maintained on their policies. This constitutes one of the safest and most desirable investments which a company can make. It is hard to imagine a more thoroughly secured loan than one of this character. Should the policy-holder die, the loan, by its terms, immediately becomes due and payable and is deducted from any proceeds which are turned over to the beneficiary. It is dependent for its security upon the progress of no outside institution. It can never be repudiated, as have been the bonds of some municipalities. If the policy-holder permits his policy to lapse, the company is amply protected; for it has in its possession the man's reserve, which, it will be borne in mind, is the excess payments which he has made to provide for the maintenance of a level premium throughout his contract.

(3) *The ministerial functions.* Under this heading comes the important duty of preparing and distributing the blanks upon which the companies are required to render an annual account of their transactions of the previous calendar year. The development of this blank is a most interesting one. It is not so very long ago that a primitive form then in use gave practically no insight into the true condition of the corporation. The gradual introduction of more scientific methods, and of a more detailed analysis of the various items, has produced a statement form which enables an experienced observer to obtain a fair knowledge, not only of the financial condition of the company, but also of its methods of operation, its expenses of management, its ability

to keep its business upon its books, etc. It may be interesting to know that the last blank adopted by the National Convention of Insurance Commissioners of 1902, subdivided the income of companies under twenty-seven heads, the disbursements under twenty-nine, the assets under twenty-seven and the liabilities under twenty-four. It will be seen from this that a fairly comprehensive analysis has been attempted.

(4) *The power of visitation.* To require corporations to make periodic reports and to provide for no way of verifying such reports, would manifestly be ridiculous. In consequence, the insurance statutes of nearly every State provide that the head of the Department, or somebody selected by him, is authorized to visit the office of any insurance company transacting business in his State, for the purpose of making an examination of its condition and ascertaining whether the laws of the State have been strictly complied with, and whether its operations give indication of having been conducted along conservative lines. There is no more important duty entrusted to the supervising officer than is this one. He must take all of the necessary precautions to assure himself that the property which the company displays for his inspection is owned absolutely by it; that the lists of policies submitted to him for valuation are complete and in accordance with the terms of the contracts, for to verify the assets without looking after the liabilities would be worse than useless. If he finds that a company fails to pay its death claims promptly, is being conducted for the benefit of its officers and directors rather than its policy-holders, is developing into an institution whose funds are used for the promotion of industrial or financial enterprises rather than in the field of legitimate investments, it becomes his duty to attempt to correct such abnormal conditions. Publicity, it will be found, is the greatest corrective of corporate evils, and every policy-holder is entitled to know every detail which directly affects his contract. No institution conducted along safe and conservative lines need fear the search-light of publicity.

It is greatly to be regretted that, in the past, some unscrupulous Commissioners have used the examining statutes of their State as a means of securing pleasure trips around the country at the expense of the companies examined. At one time, there was an epidemic of this pernicious activity on the part of certain men temporarily clothed with great authority. It is practically un-

heard-of to-day. The responsibility, however, of determining whether a company is fit to transact business within a State, is one which is placed in the hands of every Commissioner. He is not authorized to delegate this power to the Commissioner of any other State, and it becomes the duty, therefore, of every conscientious State officer to investigate for himself, if he has any reason to believe that the home department is incompetent or unwilling to make the proper investigation.

The above brief résumé of some of the duties of the head of an Insurance Department will serve to indicate the great responsibility attaching to the office. The technical nature of the life-insurance business, its close affiliation with the financial world, and the great number of citizens interested in its successful administration, are all arguments for the elimination of the political nature and character of the office. The judicial frame of mind, so necessary to the proper contemplation of the problems arising in connection with supervision, is only acquired after years of practice and experience. To expect a man trained in other walks of life to develop suddenly into a competent supervisor, is to ask the impossible. Life-insurance is a huge structure and its erection must be watched by competent eyes. If the foundation be placed upon shifting sands, if the materials entering into the building are of inferior quality, or if the work of upbuilding is conducted improperly, the structure will fall to the ground, bringing desolation and ruin to great numbers. It is to the credit of State supervision that such good work has been accomplished with such poor tools. With the full realization upon the part of the people of the cost to them of the failure of a weak and pliable Commissioner to do his duty, may we not hope that, before another decade passes, we shall see the office stripped of its political nature and its administration in the hands of men equipped by education and training to protect the interests of the millions of policy-holders throughout the world? When that time comes, the funds of a life-insurance company will never be regarded as a means whereby one group of financiers may profit at the cost of another group. The title to the funds will rest securely in the policy-holders, and the only thing needed to effect this transformation is the realization upon the part of the policy-holder of the necessity for it. S. Herbert Wolfe.

THE RELIGIOUS LIFE OF THE NEGRO.

BY BOOKER T. WASHINGTON, PRINCIPAL OF THE TUSKEGEE NORMAL AND INDUSTRIAL INSTITUTE.

In everything that I have been able to read about the religious life of the Negro, it has seemed to me that writers have been too much disposed to treat of it as something fixed and unchanging. They have not sufficiently emphasized the fact that the Negro people, in respect to their religious life, have been, almost since they landed in America, in a process of change and growth.

The Negro came to America with the pagan idea of his African ancestors; he acquired under slavery a number of Christian ideas, and at the present time he is slowly learning what those ideas mean in practical life. He is learning, not merely what Christians believe, but what they must do to be Christians.

The religious ideas which the Negroes brought with them to America from Africa were the fragments of a system of thought and custom, which, in its general features, is common to most barbarous people. What we call "fetichism" is, I suppose, merely the childish way of looking at and explaining the world, which did not, in the case of the people of West Africa, preclude a belief in the one true God, although He was regarded by them as far away and not interested in the little affairs of men.

But the peculiarity of their primitive religion, as I have learned from a very interesting book written by one who has been many years a missionary in Africa, consists in this, that it sought for its adherents a purely "physical salvation."

In the religion of the native African there was, generally speaking, no place of future reward or punishment, no heaven and no hell, as we are accustomed to conceive them. For this reason, the Negro had little sense of sin. He was not tortured by doubts and fears, which are so common and, we sometimes feel,

so necessary a part of the religious experiences of Christians. The evils he knew were present and physical.

During the period of servitude in the New World, the Negro race did not wholly forget the traditions and habits of thought that it brought from Africa. But it added to its ancestral stock certain new ideas.

Slavery, with all its disadvantages, gave the Negro race, by way of recompense, one great consolation, namely, the Christian religion and the hope and belief in a future life. The slave, to whom on this side of the grave the door of hope seemed closed, learned from Christianity to lift his face from earth to heaven, and that made his burden lighter. In the end, the hope and aspiration of the race in slavery fixed themselves on the vision of the resurrection, with its "long white robes and golden slippers."

This hope and this aspiration, which are the theme of so many of the old Negro hymns, found expression in the one institution that slavery permitted to the Negro people—the Negro Church. It was natural and inevitable that the Negro Church, coming into existence as it did under slavery, should permit the religious life of the Negro to express itself in ways almost wholly detached from morality. There was little in slavery to encourage the sense of personal responsibility.

The attitude of some Negro communities in this respect is very clearly illustrated in the story of the slave who was a "professor" of religion, in the current phrase of the time, but made his master so much trouble by his persistence in certain immoral practices that it was finally necessary to call in a clergyman to try to reform him. The clergyman made the attempt, and sought to bring the terrors of the law to bear upon the slave's conscience.

"Look yeah, Massa," said the culprit, "don't de Scripture say, Dem who b'lieves an' is baptize' shall be saved?"

"Certainly," was the reply, and the clergyman went on to explain the passage to him, but the slave interrupted him again.

"Jus' you tell me now, Massa, don't de good book say dese words: 'Dem as b'lieve and is baptize' shall be saved?'"

"Yes, but—"

"Dat's all I want to know, sar. Now, wat's de use of talkin' to me. You ain't ago'n to make me believe wat de blessed Lord say ain't so, not if you tries forever."

This illustrates one of the difficulties that we have to contend

with to-day. In our Tuskegee Negro Conference, we have constantly to insist that the people draw moral distinctions within the limits of their own communities, that they get rid of immoral ministers and school-teachers, and refuse to associate with people whom they know to be guilty of immoral practices.

It has been said that the trouble with the Negro Church is that it is too emotional. It seems to me that what the Negro Church needs is a more definite connection with the social and moral life of the Negro people. Could this connection be effected in a large degree, it would give to the movement for the upbuilding of the race the force and inspiration of a religious motive. It would give to the Negro religion more of that missionary spirit, the spirit of service, that it needs to purge it of some of the worst elements that still cling to it.

The struggle to attain a higher level of living, to get land, to build a home, to give their children an education, just because it demands more earnestness and steadfastness of purpose, gives a steadiness and a moral significance to the religious life, which is the thing the Negro people need at present.

A large element of the Negro Church must be recalled from its apocalyptic vision back to the earth; the members of the Negro race must be taught that mere religious emotion that is guided by no definite idea and is devoted to no purpose is vain.

It is encouraging to notice that the leaders of the different denominations of the Negro Church are beginning to recognize the force of the criticism made against it, and that, under their leadership, conditions are changing. In one of these denominations, the A. M. E. Zion Church alone, $2,000,000 was raised, from 1900 to 1904, for the general educational, moral and material improvement of the race. Of this sum, $1,000,000 was contributed for educational purposes alone. The A. M. E. Church and the Baptists did proportionally as well.

The mere fact that this amount of money has been raised for general educational purposes, in addition to the sum expended in each local community for teachers, for building schoolhouses and supplementing the State appropriations for schools, shows that the colored people have spent less money in saloons and dispensaries; that less has been squandered on toys and gimcracks that are of no use. It shows that there has been more saving, more thought for the future, more appreciation of the real value of life.

In this connection, it is well to have in mind that the industrial schools have performed a great and useful service, in so far as they have impressed upon the young men who go out from these schools as preachers the importance of learning a trade, something of agriculture, so that they can give the members of their congregations an example of industrial thrift.

At Tuskegee Institute, we insist upon the importance of service. Every student in this department is expected to do, in connection with his other work either as a teacher or preacher, some part of the social and religious work that is carried on under the direction of the Bible Training School in the surrounding country. We are seeking to imbue these young men who are going forth as leaders of their people with the feeling that the great task of uplifting the race, though it may be for others merely a work of humanity, for them, and every other member of the Negro race, is a work of religion.

In this great modern world, where every individual has so many interests and life is so complicated, there is a tendency to let religion and life drift apart. I meet men every day who, honest and upright though they be, have lost in their daily lives this connection with religion, and are striving vainly to regain it. There is no one great dominating motive in their lives which enters into every task and gives it significance and zest.

It is one of the compensations which hardships bring, that the race problem is a thing so real and so present to the Negro people that it enters, as a motive, into everything they do. It is this that makes it possible for them to realize that the acts of every individual have an importance far beyond the measure in which they make or mar his or her personal fortunes.

So soon as a man, white or black, really learns to comprehend that fact, he will cease to whine and complain, and he will be content to do his best, humble though it be, to improve his own condition, and to help his less fortunate fellows.

Slowly but surely, and in ever larger numbers, the members of my race are learning that lesson; they are realizing that God has assigned to their race a man's part in the task of civilization; they are learning to understand their duty, and to face uncomplainingly and with confidence the destiny that awaits them.

BOOKER T. WASHINGTON.

THE IMPORTANCE OF PUBLICITY IN EDUCATIONAL AND CHARITABLE WORK.

BY WILLIAM H. ALLEN, GENERAL AGENT OF THE NEW YORK ASSOCIATION FOR IMPROVING THE CONDITION OF THE POOR.

DURING the second week in July will be held the annual sessions of the National Education Association and the National Conference of Charities and Correction. Newspaper head-lines will probably announce that ten thousand pedagogues are meeting on the Atlantic seaboard at Asbury Park, and five hundred philanthropists at Portland on the Pacific. Press agents will telegraph broadcast each innovation suggested, each reactionary criticism, each striking phrase or fact; educational and fireside journals will summarize the serious thought; while syndicated witticisms and moral effusions will be liberally quoted in the patent inside that supplements the personal notes and village advertising of the rural weekly. In these ways the national convention is disseminating standards of thought and of effort that enable the smallest hamlet to benefit from universal experience. Moreover, the individual delegate returns to his little corner, inspired and encouraged by the consciousness that in him speak not merely his own ideals, but the ideals of thousands of his colleagues. He moves not of his own momentum only, but is impelled by that of all educators, all charitable workers. He expects the collective layman to "incorporate" or "promote" the new inspiration and stamp with approval the new standard. Probation saves jail expenses and redeems citizens in New Jersey; it should be tried in Georgia. Volunteer boards have successfully managed State institutions in the East; they should be adopted by the West. Manual training is admitted by all to develop moral and economic qualities; therefore introduce manual training in the schools of Des Moines.

So obviously does the extension of the improved standard depend upon the layman that it is usually regarded as unnecessary to discuss either him or his rights. We find, accordingly, a marked tendency to assume that the problem before an educational or philanthropic Convention primarily concerns two parties only, the beneficiary, on the one hand, and the teacher or charity worker, on the other. The layman is forgotten, and little or no attention is given to the technical means of obtaining and holding his intelligent interest in schools and charities, or to the obligation of informing him as to the returns obtained from his outlay of interest and means.

The need for a systematic method of raising funds receives even less attention from these conferences. Most of us are still reluctant to admit that altruistic motives have laws which can be analyzed, understood and cultivated, as well as those of pedagogics and criminology. For want of proper analysis, we have been assuming that the springs of benevolence work according to caprice, not law; that, consequently, the secret of successful appealing should never be imparted to possible competitors. Whatever, therefore, may be the valuable experience that we travel across the continent to exchange—so far as it relates to the motherless infant, the crippled or idiotic child, the consumptive adult or criminal—we withhold our confidences from that point where our experience begins to relate to the men and women whose beneficence makes possible our philanthropic work. As for educators, they have still greater temptation than social workers to overlook the motives that determine the scope of their opportunity and measure the result of their endeavor. Legally recognized as part of the instrumentality essential to the maintenance of the minimum standard of living in an American community, they are prone to consider that they are entitled to the unqualified moral and financial support of every citizen. Not unnaturally, the lay proprietor, working as he does under legal and moral compulsion, comes to be regarded by the educator as an impersonal source of revenue.

This twofold neglect of the vast majority, who are neither beneficiaries nor agents of benefaction, is due in large measure to the fact that standards of thought and of effort have been much better worked out than standards of achievement. The public can easily learn how and when cooking should be taught,

how drunkards should be cared for and wayward girls reformed. But it is almost impossible to ascertain whether our teachers and social workers are obtaining results proportionate to outlay; whether our schools give the sought-for power; whether reformatories reform and hospitals cure; whether relief agencies relieve or pauperize. Yet these are questions which the general public is constantly asking, the answers being not seldom to the discredit of educational and philanthropic activities.

How little the layman participates in momentous decisions regarding educational policies may be illustrated by recent events in the public schools of Greater New York. With the gravest, most difficult, problem to solve and the greatest opportunity of any single city in the world, New York spends for its schools nearly $25,000,000 annually, each resident paying tribute in one form or another. The safety of property, cleanliness of streets, watchfulness of police, the quality of milk or of press editorial purchasable, the stenographer's intelligence, the health rate, tax rate, interest rate—the composite standard of living—all are influenced for better or for worse by the character of instruction and discipline in the public schools. In view of this relation between layman and school, a wide-awake, intelligent lay interest in school problems and policies seems not only desirable but indispensable. There is every reason why the financial backer and silent partner, who has delegated his responsibility to teachers and directors, should be encouraged to know the essential facts regarding school expenses and educational returns. In fairness to him, his demand for retrenchment or open charges of gross extravagance, whatever their source, require one of two courses—either proof that retrenchment is nowhere possible without serious damage to the enterprise, or else retrenchment at the point where least damage will result. Yet when, in 1903, the Board of Estimate and Apportionment reduced by about $800,000 the total appropriation requested for schools, the educational authorities were startled and injured. The financial representatives of the public were rebuked, the public itself was ignored. No proof was advanced that retrenchment was impossible without serious damage to the enterprise. The retrenchment finally proposed was not chosen because least harmful. On the contrary, it was avowedly effected at those points where untold injury must result, namely, Vacation Schools, Recreation Centres, Popular Lectures

and Evening Schools. The public was told by its fiscal authorities that "easy come, easy go" had been the rule in school finance; that there were flagrant extravagances that could be corrected; and that curriculum and equipment disbursements were not being controlled by proper standards of efficiency and economy. These charges were regarded by the public's chief educator, who happens now to be President of the National Education Association, as personal slurs upon himself, as covert attacks upon the foundation of American civilization, and as a menace to the principle of universal schooling. The wrath of the public, rather than its intelligence, was invoked; instead of facts, it was given an ultimatum, *plus* renewed assurance of motives concerned alone with the public good.

An independent inquiry on the part of the New York Association for Improving the Condition of the Poor revealed the fact that the members of the Board of Education did about the best they could under the circumstances. If they had failed to enlighten the public as to the points at issue, they could plead in defence that they simply did not have the information to impart. There was no business standard of efficiency either for teaching or for disbursing agent, although an attempt was being made to "standardize" the Department of Supplies. Comparative statements and proper classification, even of gross items, were lacking. Although Recreation Centres were closing for lack of funds, the Superintendent proposed to furnish meals to breakfastless children, basing his estimate of the number of such children not upon school facts, but upon an outsider's guess. "Discoveries" were announced from time to time—now a discrepancy of thousands in the number of sittings available in the schools, or overestimate of hundreds in the number of teachers needed; again, that from twenty-eight to fifty per cent. of school-children were from two to six years out of place, lagging behind to block the lower grades and aggravating the part-time evil. The latest available report showed that the *per capita* disbursements for supplies differed in schools of the same size and type by twenty or fifty or over one hundred per cent. The number of teachers was increased in schools that showed a decrease in the number of pupils. A school of thirty-five rooms burned twice as much coal as a sixty-nine room school, having one thousand more pupils. Trustworthy, classified data could nowhere be obtained, either by a

member of the Board of Education, a legislator, an editor or a lay student desirous of promoting school interests. When asked how much special subjects cost per pupil, as compared with the three R's, the Department's auditor found it necessary to set at work a large office staff to compile information that the system of a business house would furnish automatically by months if not by weeks. For nearly two years, the financial backer and silent partner has read weekly, almost daily, charges of extravagance and "faddism." These charges alternate with claims or admissions on the part of the school authorities that the curriculum is being simplified, or perhaps that economies aggregating here $10,000, there $300,000, had been effected or were contemplated. Yet, there is no provision for placing before the public the facts upon which to base independent judgment and loyal support.

The New York school situation differs from that of the average small city only in this respect, that the former is expressed in terms of thousands and millions, whereas the small city speaks of pupils by hundreds and of dollars by thousands. Moreover, the weaknesses enumerated above are not confined to schools, but are typical of philanthropical effort and civil government throughout the country, bearing eloquent testimony to the proposition that an uninformed honest executive may be even more obstructive and ineffective than a vicious man subject to intelligent criticism. Information must precede reformation. To prevent "graft" and maladministration, light must be available, not once a year or once a month, but constantly; it should be furnished not by catastrophes, embezzlements or deficits, but by reports daily, weekly, monthly, annual. The mere occasional uncovering of gruesome sores, such as have been recently revealed in the body politic in Rhode Island, Connecticut and Missouri, brings forth little unless it leads to a mechanism that exposes automatically both dishonesty and incompetence. Whatever other remedies are needed, it is quite certain that politics must adopt, as has business enterprise, methods of control that make inefficiency too dangerous of practice because too easy of detection. Such control will be infinitely easier to effect after philanthropy and education have abandoned their present haphazard methods, which are incompatible with the business standards of our time, suggesting rather the days when nature's prodigality of oil or gold caused man to scorn accounts and economies.

The New York Board of Education seems about to set an example to the world of educators. It has a committee of five, of which its president is a member, to consider the remedies proposed, namely: (1) Establish standards of achievement for both the educational and business side of school administration; (2) publish reports with such promptness and of such a character that they will educate the layman in his duties as proprietor and beneficiary of the school system. The Committee is headed by an expert accountant, who, as Chairman of the Department of Supplies, has labored for two years to establish units of measurement and methods of control, such as railroads and manufactures find indispensable. Associated with him are three lawyers, and a banker and a broker, all disciplined in the methods of large enterprise, and all determined to give the schools the same quality of service that would be given to any other large corporation. The specialist whom they have asked to survey the system from beginning to end is an authority on collecting, classifying and presenting business experience,—the same whose report formed the basis of the remedies mentioned above, and whose services have since been enlisted by the Mayor's Finance Commission, as Chairman of its sub-committee on accounting.

The movement thus begun in New York differs from others, attempted in various American cities from time to time, in that its avowed purpose is to increase service rendered, rather than to lower tax rates or purify politics. New York wants more money for schools and better schools, more money for parks, for tenement and sanitary inspection; its Board of Education and its Mayor wish to see whether administrative facts, promptly and intelligibly presented, will not result in abolishing the present method of appropriating public funds according to some sliding scale of guesses, rather than needs measured and results obtained. It is worth while for the National Convention of Educators at Asbury Park to study this proposed method of strengthening the schools' hold upon lay interest and public purse. It behooves them, furthermore, one and all, to examine the methods now employed in securing and disbursing appropriations for their own schools, in order to see to what extent these methods are strengthening the forces of corruption which thrive only where laymen are not properly informed.

The proposition is simple. Certainly no one can fail to see

the vast significance of facts giving timely notice alike to teacher and to public regarding such matters as these: the proportion of backward school-children needing special instruction; the cost of teaching German or manual training as compared with that of teaching English; the percentage of children who fail of promotion; the percentage that take the entire grammar-school course; the fair cost and actual cost per pupil for supplies and for teaching; the fair cost and actual cost for coal per cubic foot of space heated; the proportion of public funds and school time that may be properly devoted to courses which only the small minority can hope to take; the proportion of pupils benefiting from so-called special features, that, in the absence of definite results obtained, are rightly termed "fads"; whether pupils learn to take business dictation in courses of stenography; what percentage of graduates should know how to spell ordinary words and write a legible hand; the equipment provided for instruction, and just where that equipment is inadequate. A proper method of collecting, classifying and recording facts such as these, comparing department with department, school with school, month with month, year with year, will continually and instantly disclose the weakest spots in the system we wish to make strong, the least profitable of the expenditures we aim to render remunerative, and the first signs of the waste and duplication each educator is pledged to prevent.

The field of charities and correction suffers from the same want of business method in measuring result obtained with effort and money expended. In the past we have made a fetich of volunteer management, resting secure in the knowledge that those to whom hospitals, relief bureaus and rescue missions were intrusted had no selfish motives to gratify. "*Possunt, quia posse videntur*" explained the outcome of the Trojan boat-race; but to-day, apart from social, educational and religious work, the point of view thus expressed is abandoned for the business motto, "*They were able, because they were prepared.*" Yet the man of affairs continues to go from an office where business facts are classified, where the experience of his profession is constantly available for the day's work, to his post as director of hospital or charitable society, where experience has never been classified and where methods of intelligent control are lacking.

In my hand I hold the latest published reports of three hos-

pitals, whose annual operating expenses aggregate $400,000. Two of these give complete medical statistics, telling all about Fasciotomies, Epididymites, Carcinoma ventriculi, etc.; the third, all about the nationalities and trades of patients, and much about provisions. But not one tells how much it costs to support a patient one day or a week; what endowment is required to pay the entire expense of supporting a bed in perpetuity; what proportion of the cost of maintaining free beds is borne by public subsidy; what percentage of expense is for salaries or provisions; the price paid per ton for coal, or per pound for beef; what fraction of the total day's treatment given is wholly free; how much certain or pledged income the hospital has. Not one summarizes the facts published, so as to show by comparative tables and percentages the direction in which it is going, with respect to classes of patient or of expense. Yet these reports are vastly superior to the average hospital report, and the hospitals for which they plead are among the foremost of their kind in the world. Each reports current expenses to be in excess of current income by many thousand dollars. Each consumes endowment and legacy, whereas it is supposed to use only the interest on these funds. In this respect, too, as well as in their reporting, they are typical of private hospitals throughout the world. London's hospitals are in desperate straits, the King's personal interest being required to rally the public to their support, and the hospital authorities to the systematic study of resources and the practice of economies. In New York, practically all of the large hospitals, depending in any measure on private subscription, announce large deficits, many wards being closed for lack of funds. Yet there is no good work which is believed in so generally as that of the hospital. This paradox of universal interest and universal deficit is due undoubtedly to the fact that business standards have not hitherto been applied either to the raising or spending of hospital funds. In other words, the silent partner and financial backer has not been sufficiently considered, either by hospital executives or by the volunteer boards which in theory represent lay interest.

Similar significant illustrations might be drawn from different types of charitable organization. A classical example is furnished by the Lyman School for Boys, of which the whole country has been proud for more than a generation. Year after year its di-

rectors, all praiseworthy altruists of the "Massachusetts type," have exploited in general terms the wonderful character-building influence of this school upon its boy charges. A chart was prepared for the Chicago Exposition to teach the inquiring student of reformatory methods what a great work the Lyman School had done. But, to the chagrin of all, the chart when completed showed that a distressingly large percentage of the boys were still in durance vile at various penal institutions, while a painfully small percentage could be referred to with pride. The directors believed their chart and obeyed it. It is now known, not merely for exposition purposes, but for every-day uses, exactly where the boys are and what they need, after as well as before they leave the institution.

In thousands of philanthropic and relief societies and in hundreds of public institutions managed by volunteers, a graphic comparison of results obtained with time and means expended would reveal waste, extravagance, perverted use of talents and means, and neglect of opportunity offered, such as would cause the cry of scandal if discovered in institutions managed by political or civil-service appointees. But, Polonius-like, we permit the same cloud to change from camel to weasel and to disappear, according to the person offending against the laws of economy and efficiency. Failure to achieve proper results, however, punishes the public, irrespective of the relative proportion of honesty and capacity possessed by its representatives. Disregard of standards that secure proper proportions between outlay and return means social waste in charitable, religious and educational work, as well as in commerce and politics.

A political humorist maintains that "we'll never abolish hanging so long as people likes it so much." It is also safe to say that we shall have inefficiency and dishonesty in public life so long as philanthropist and educator cling, in their particular fields, to those methods of withholding facts and ignoring the public that, in other fields, mislead and confuse honest intention, while protecting vicious purpose and conduct.

WILLIAM H. ALLEN.

AUTOCRACY AND WAR.

BY JOSEPH CONRAD.

"Sine ira et studio."

FROM the firing of the first shot on the banks of the Sha-ho, the fate of *the* great battle of this war hung in the balance for more than a fortnight. The famous three-day battles, for which history has reserved the recognition of special pages, sink into insignificance before the struggles in Manchuria engaging half a million of men on fronts of sixty miles, struggles lasting for weeks, flaming up fiercely and dying away from sheer exhaustion, to flame up again in a desperate persistence, and end—as we have seen them end more than once—not from one side or the other obtaining a decisive advantage, but through the mortal weariness of the combatants.

We have seen these things, though we have seen them only in the cold, silent, colorless print of books and newspapers. In stigmatizing the printed word as cold, silent and colorless, I have no intention of putting a slight upon the fidelity and the talents of men who have provided us with words to read about the battles in Manchuria. I only wished to suggest that, from the nature of things, the war in the Far East has been made known to us, so far, in a pale and gray reflection of its terrible and monotonous phases of pain, death, sickness—a reflection seen in the perspective of thousands of miles, in the dim atmosphere of official reticence, through the veil of inadequate words. Inadequate, I say, because what had to be reproduced is beyond the common experience of war; and imagination, luckily for our peace of mind, has remained a slumbering faculty, notwithstanding the din of humanitarian talk and the real progress of humanitarian ideas. Direct vision of the fact, or the stimulus of a great art, can alone make it turn and open its eyes heavy with blessed sleep; and even

there, as against the testimony of the senses and the stirring up of emotion, that saving callousness which reconciles us to the conditions of our existence will assert itself under the guise of assent to fatal necessity or in the enthusiasm of a purely æsthetic admiration of the rendering. In this age of knowledge, our sympathetic imagination, to which alone we can look for the ultimate triumph of Concord and Justice, remains strangely impervious to information, however correctly and even picturesquely conveyed. As to the austere eloquence of a serried array of figures, it has all the futility of precision without force. It is the exploded superstition of enthusiastic statisticians. An overworked horse falling before our windows, a man writhing under a cart-wheel in the street, awaken more genuine emotion, more horror, pity and indignation than the stream of reports, appalling in their monotony, of tens of thousands of decaying bodies tainting the air of the Manchurian plains, of other tens of thousands of maimed bodies groaning in ditches, crawling on the frozen ground, filling the field hospitals; of the hundreds of thousands of survivors no less pathetic, and even more tragic in being left alive by fate to the pitiable exhaustion of their pitiful toil.

An early Victorian, or perhaps a pre-Victorian, sentimentalist, looking out of an up-stairs window I believe at a street—perhaps Fleet Street itself—full of people, is reported by an admiring friend to have wept for joy at seeing so much life. These Arcadian tears, this facile emotion worthy of the Golden Age, come to us from the past, with solemn approval, after the close of the Napoleonic wars and before the series of sanguinary surprises held in reserve by the nineteenth century for our hopeful grandfathers. We may well envy them their optimism, of which this anecdote of an amiable wit and sentimentalist presents an extreme instance, but still a true instance and worthy of regard in the spontaneous testimony to that trust in the life of the Earth, triumphant at last in the felicity of her children. Moreover, the psychology of individuals, even in the most extreme instances, reflects the general effect of the fears and hopes of the time. Wept for joy! I should think that now, after eighty years, the emotion would be of a sterner sort. One could not imagine anybody shedding tears of joy at the sight of much life in a street, unless perhaps he were an enthusiastic officer of a general staff or a popular politician, with his career yet to make.

And hardly even that. In the case of the first, tears would be unprofessional, and a stern repression of all signs of joy at so much food for powder more in accord with the rules of prudence: the joy of the second would be checked before it found issue in weeping, by anxious doubts as to the soundness of the electors' views upon the question of the hour and the fear of missing the consensus of their votes.

No! It seems that such a tender joy would be misplaced now as much as ever during the last hundred years, to go no further back. The end of the eighteenth century was, too, a time of optimism and of desperate mediocrity, in which the French Revolution exploded like a bombshell. In its lurid blaze the insufficiency of Europe, the inferiority of minds, of military and administrative systems stood exposed with pitiless vividness. And there is but little courage in saying at this time of the day that the glorified French Revolution itself, except for its destructive force, was in essentials a mediocre phenomenon. The parentage of that great social and political upheaval was intellectual, the idea was elevated: but it is the bitter fate of the idea to lose its royal form and power, to lose its "virtue," the moment it descends from its solitary throne to work its will amongst the people. It is a king whose destiny is never to know the obedience of his subjects, except at the cost of degradation. The degradation of the ideas of freedom and justice at the root of the French Revolution is made manifest in the person of its heir; a personality without law or faith, whom it has been the fashion to represent as an eagle, but who was in truth much more like a sort of vulture preying upon the body of a Europe which did indeed for some dozen of years resemble very much a corpse. The subtle and manifold influence for evil of the Napoleonic episode, as a school of violence, as a sower of national hatreds, as the direct provoker of obscurantism and reaction, of political tyranny and injustice, cannot well be exaggerated.

The nineteenth century began with wars which were the issue of a corrupted revolution. It may be said that the twentieth begins with a war which is like the explosive ferment of a moral grave, whence may yet emerge a new political organism to take the place of a gigantic and dreaded phantom. For a hundred years, the ghost of Russian might, overshadowing with its fantastic bulk the councils of central and western Europe, sat upon the

gravestone of Autocracy, cutting off from air, from light, from all knowledge of themselves and of the world, the buried millions of Russian people. Not the most determined cockney sentimentalist could have had the heart to weep for joy at the thought of its teeming numbers! And yet they were living—they are alive yet, since, through the mist of print, we have seen their blood freezing crimson upon the snow of the squares and streets of St. Petersburg; since their generations born in the grave are yet alive enough to fill the ditches and cover the fields of Manchuria with their torn limbs, their maimed trunks, to send up from the frozen ground of battle-fields a chorus of groans calling for vengeance from heaven, to kill and retreat or kill and advance without intermission or rest, for twenty hours, for fifty hours, for whole days, for whole weeks of fatigue, hunger, cold and murder, till their ghastly labor worthy of a place amongst the punishments of Dante's Inferno, passing through the stages of courage, of fury, of hopelessness, sinks into crazy despair.

It seems that, in both armies, many men are driven beyond the bounds of sanity by the stress of moral and physical misery. Great numbers of soldiers and regimental officers go mad, as if by way of protest against the peculiar sanity of a state of war—most amongst the Russians, of course. The Japanese have in their favor the tonic effect of success; and the innate gentleness of their character stands them in good stead. But the Japanese Grand Army has yet another advantage in this nerve-destroying contest, which, for endless, arduous toil of killing, surpasses all the wars of history. It has a base for its operations; a base of a nature beyond the concern of the many vain books written upon the so-called art of war. The Japanese army has for base a reasoned conviction; it has behind it the profound belief in the right of a logical necessity to be appeased at the cost of so much blood and treasure. And in that belief, whether well or ill founded, that army stands on the high ground of conspicuous assent, shouldering deliberately the burden of a long-tried faithfulness. The other people (since each people is an army nowadays), torn out from a miserable quietude resembling death itself, hurled across space, amazed, without starting-point of its own or knowledge of the aim, can feel nothing but the horror-struck consciousness of having mysteriously become the plaything of a black and merciless fate.

The profound, the instructive, nature of this war is resumed by the memorable difference in the spiritual state of the two armies: the one forlorn and dazed, on being driven out from an abyss of mental darkness into the red light of a conflagration; the other, with the full knowledge of its past and its future, finding itself, as it were, at every step of the trying war before the eyes of an astonished world. The greatness of the lesson has been dwarfed for most of us by an often half-unconscious prejudice of race-difference. The West, having managed to lodge its hasty foot on the neck of the East, is prone to forget that it is from the East that the wonders of patience and wisdom have come to a world of men who set the value of life in the power to act rather than in the faculty of meditation. It has been dwarfed by this; and it has been obscured by a cloud of considerations with whose shaping wisdom and meditation had little or nothing to do; by the weary platitudes on the military situation—which (apart from geographical conditions) is the same everlasting situation that has prevailed since the times of Hannibal and Scipio and further back yet, since the beginning of historical record, since prehistoric times for that matter; by the conventional expressions of horror at the tale of maiming and killing; by the rumors of peace, with guesses more or less plausible as to its conditions. All this is made legitimate by the consecrated custom of writers in such time as this—the time of a great war. More legitimate, in view of the situation created in Europe, are the speculations as to the course of events after the war—more legitimate, but hardly more wise, than the irresponsible talk of strategy that never changes and peace-terms that do not matter.

And, above all, unaccountably persistent, unaccountably (unless on the theory that there is no evidence-subduing awe like the fear inspired by the appearances of brute-force), the decrepit, old, hundred-years-old, spectre of Russia's might still faces Europe from above the teeming grave of Russian people. This dreaded and strange apparition, bristling with bayonets, armed with chains, hung over with holy images, that something not of this world, partaking of a ravenous Ghoul, of a blind Djinn grown up from a cloud, and of the Old Man of the Sea, still faces us with its old stupidity, with its strange mystical arrogance, stamping with its shadowy feet upon the gravestone of Autocracy already cracked beyond repair by the torpedoes of Togo's

fleet and the guns of Oyama, already heaving in the blood-soaked ground with the first stirrings of a resurrection.

Never before had the Western world the opportunity to look so deep into the abyss of whitened bones and grinning skulls which separates an Autocracy posing as, and believing itself to be, the arbiter of Europe from the benighted, starved souls of its people. This is the real object-lesson of this war, its unforgettable information. And this war's true mission, disentangled from the economic origins of that contest, from doors open or shut, from the fields of Korea for Russian wheat or Japanese rice, from the ownership of ice-free ports and the command of the waters of the East—its true mission was to lay a ghost. It has accomplished that. Whether Kuropatkin was incapable or unlucky, whether or not Russia, issuing next year, or the year after next, from behind a rampart of piled-up corpses, will win or lose a fresh campaign, are minor considerations. The task of Japan is done; the mission accomplished: the ghost of Russian might is laid. Only Europe, accustomed so long to the presence of that portent, seems unable to comprehend it; as in the fables of our childhood, the twelve strokes of the hour have rung, the cock has crowed—the apparition has vanished, never to haunt again this world which had been used to gaze at it with vague dread and many misgivings.

It was a fascination. And the hallucination still lasts, as inexplicable in its persistence as in its duration. It seems so unaccountable that the doubt arises as to the sincerity of all that talk as to what Russia will or will not do; whether it will raise or not another army; whether it will bury the Japanese in Manchuria under seventy millions of sacrificed peasants' caps (as her press boasted a little more than a year ago), or give up to them that jewel of her crown, Saghalin, together with some other things; whether, perchance, as an interesting alternative, it will make peace on the Amur in order to make war beyond the Oxus.

All these speculations (with many others) have appeared gravely in print; and, if they have been gravely considered by only one reader out of each hundred, there must be something subtly noxious for the brain in the composition of newspaper ink; or else it is that the large page, the columns of words, the leaded headings, exalt the mind into a state of feverish credulity. The printed voice of the press makes a sort of still uproar, taking

from men both the power to reflect and the faculty of genuine feeling; leaving them only the artificially created need of having something exciting to talk about.

The truth is that Russia of our fathers, of our childhood, of our middle age—the testamentary Russia of Peter the Great, who imagined that all the nations were delivered into the hand of Tsardom—can do nothing. It can do nothing, because it does not exist. It has vanished forever at last, and as yet there is no new Russia to take the place of that ill-omened creation, which, being a fantasy of a madman's brain, could be nothing but a figure out of a nightmare seated upon a monument of fear and oppression.

The true greatness of a state does not spring from such a contemptible source. It is a matter of logical growth, of faith and courage. Its inspiration springs from the constructive instinct of the people, governed by the strong hand of a collective conscience, and voiced in the wisdom and counsel of men who seldom reap the reward of gratitude. Many states have been powerful, but perhaps none has been really great—as yet. That the position of a state in reference to the moral methods of its development can be seen only historically, is true. Perhaps mankind has not lived long enough for a comprehensive view of any particular case. Perhaps no one will ever live long enough; and perhaps this earth, shared out amongst our clashing ambitions by the anxious arrangements of statesmen, shall come to an end before we attain the felicity of greeting with unanimous applause the perfect fruition of a great state. It is even possible that we are destined for another sort of bliss altogether, that sort which consists in being perpetually duped by false appearances. But, whatever political illusion the future may hold out to our fear or our admiration, there will be none, it is safe to say, which in the magnitude of antihumanitarian effect will equal that phantom now driven off the world by the thunder of thousands of guns; none that in its retreat will cling with an equally shameless sincerity to more unworthy supports—to the moral corruption and mental darkness of slavery, to the mere brute force of numbers.

This very ignominy of infatuation should make clear to men's feelings and reason that the downfall of Russia's might is unavoidable. Spectral it lived and spectral it disappears, without leaving the memory of a single generous deed, of a single service

rendered—even involuntarily—to the polity of nations. Other despotisms there have been, but none whose origin was so grimly fantastic in its baseness, and the beginning of whose end was so gruesomely ignoble.

Considered historically, Russia's influence in Europe seems the most baseless thing in the world: a sort of convention invented by diplomatists for some dark purpose of their own, one would suspect, if the lack of grasp upon the realities of any given situation were not a characteristic in the management of international relations. A glance back at the last hundred years shows the invariable—one may say, the logical—powerlessness of Russia. As a military power, it has never achieved by itself a single great thing. It has been, indeed, able to repel an ill-considered invasion, but only by having recourse to the extreme methods of desperation. In its attacks upon its specially selected victim, this giant always struck as if with a withered right hand. All the Turkish campaigns prove this, from Potemkin's time to the last Eastern War in '78, entered upon with every advantage that a well-nursed prestige and a carefully fostered fanaticism can give. Even the half-armed were always too much for the might of Russia, or, rather, of the Tsardom. It was victorious only as against the practically disarmed, as, in regard to its ideal of territorial expansion, a glance at a map will prove sufficiently. As an ally, Russia has always been unprofitable, taking her share in the defeats rather than in the victories of her friends, but always pushing her own claim with the arrogance of an arbiter of military success. She has been unable to help, to any purpose, a single principle to hold its own, not even the principle of authority and legitimism which Nicholas the First declared so haughtily to rest under his especial protection, just as Nicholas the Second has tried to make the maintenance of peace on earth his own exclusive affair. And the first Nicholas was a good Russian; he held the belief in the sacredness of his realm with such an intensity of faith that he could not survive the first shock of doubt. Rightly envisaged, the Crimean War was the end of what remained of absolutism and legitimism in Europe. It threw the way open for the liberation of Italy. The war in Manchuria makes an end of absolutism in Russia, whoever has got to perish from the shock behind a rampart of dead ukases, manifestoes and rescripts. In the space of a short fifty years, the

self-appointed Apostle of Absolutism and the self-appointed Apostle of Peace, the Augustus and the Augustulus of the régime that was wont to speak contemptuously to European Foreign Offices in the beautiful French phrases of Prince Gortchakoff, have fallen victims to this shadowy and dreadful familiar—to the phantom, part Ghoul, part Djinn, part Old Man of the Sea—with beak and claws and a double head looking greedily east and west on the confines of two continents.

That nobody through all that time penetrated the true nature of the monster, it is impossible to believe. But, of the many who must have seen, all were either too modest, too cautious, perhaps too discreet, to speak. Yet not all.

In the very early sixties, Prince Bismarck, then about to leave his post of Prussian Minister in St. Petersburg, called—so the story goes—upon another distinguished diplomatist. After some talk upon the general situation, the future Chancellor of the German Empire remarked that it was his practice to resume the impressions he carried out of every country where he had made a long stay in a short sentence which he caused to be engraved upon some trinket. "I am leaving this country now, and this is what I bring away from it," he continued, taking off his finger a new ring to show his colleague the inscription: "*La Russie c'est le néant.*"

Prince Bismarck had the truth of the matter, and was neither too modest nor too discreet to speak out. Yet he did not shout his knowledge from the housetops. He meant to have the phantom for his accomplice in an enterprise which has set the clock of peace for many a year.

He had his way. The German Empire has been an accomplished fact for more than the third part of a century—a sort of legacy left to the world by the phantom of Russia's might.

It is that last that is disappearing now—unexpectedly, astonishingly, as if by a touch of that wonderful magic for which the East has always been famous. The pretence of belief which existed will no longer answer anybody's purposes (now Prince Bismarck is dead) unless the purpose of the writers of sensational paragraphs as to this "*Néant*" making an armed descent upon the plains of India. That sort of folly would be beneath contempt, if it did not distract attention from the real problem created for Europe by the War in the Far East.

For good or evil in the working out of her destiny, Russia is bound to remain a "*Néant*" for many long years, in more even than the Bismarckian sense. The very fear of this spectre being gone, it behooves us to consider its legacy—the fact (no phantom that!) accomplished in Central Europe by its help and connivance.

The German Empire may feel at bottom the loss of an old accomplice always amenable to confidential whispers of a bargain; but, in the first instance, it cannot but rejoice at the fundamental weakening of a possible obstacle to its instincts of territorial expansion. There is a removal of that latent feeling of restraint which the presence of a powerful neighbor, however implicated with you in a sense of common guilt, is bound to inspire. The common guilt of the two Empires is defined precisely by their frontier line running through the Polish provinces. Without indulging in excessive feelings of indignation at that country's partition, or going so far as to believe—with a late French statesman—in the "immanent justice of things," it is clear that a material situation based upon an essentially immoral transaction contains the germ of fatal differences in the temperament of the two partners in iniquity—whatever it is. Germany has been the evil counsellor of Russia on all the questions of her Polish problem. Always urging the adoption of the most repressive measures with a perfectly logical duplicity, Prince Bismarck's empire has taken care to couple the neighborly offers of military assistance with its merciless advice. The thought of the Polish provinces accepting a frank reconciliation with a humanized Russia, and bringing the weight of homogeneous loyalty to within a few score of miles of Berlin, has been always intensely distasteful to the arrogant Germanizing tendencies of the other partner in iniquity. And, besides, the way to the Baltic provinces leads over the Vistula and over the Niemen.

And now, when there is a possibility of serious internal disturbances destroying the sort of order Autocracy has kept in Russia, the road over these rivers is seen wearing a more inviting aspect. At any moment, the pretext of armed intervention may be found in a revolutionary outbreak provoked by Socialists perhaps—but, at any rate, by the political immaturity of the enlightened classes and by the political barbarism of the Russian people. The throes of Russian resurrection will be long and painful. There must be some violent break-up of the lamentable tradi-

tion—a shattering of the social, of the administrative, perhaps of the territorial, unity.

Voices have been heard saying that the time for reforms in Russia is already past. This is the superficial view of a more profound truth, that for Russia there has never been such a time within the memory of mankind. It is impossible to initiate any sort of reform upon a phase of blind absolutism; and in Russia there has never been anything else to which the faintest tradition could, after ages of error, go back as to a parting of the ways.

In Europe, the monarchical principle stands justified in its struggle with the growth of political liberty by the evolution of the idea of nationality as we see it concreted at the present time, by the inception of that wider solidarity grouping together around the standard of absolute power these larger agglomerations of mankind. This service of unification, creating close-knit communities possessing the ability, the will and the power to pursue a common ideal, has prepared the ground for the advent of a still larger understanding—for the solidarity of Europeanism which must be the next step towards the advent of Concord and Justice; an advent that has been and remains the only possible goal of our progress.

The conceptions of legality, of larger patriotism, of national duties and aspirations have grown under the shadow of the unlimited monarchies of Europe, which were the creations of historical necessity. There were seeds of wisdom in their very violences and abuses. They had a past and a future: they were human. But under the shadow of Russian Autocracy nothing could grow. Russian Autocracy succeeded to nothing; it had no historical past and it could not have an historical future. It can only end. By no industry of investigation, by no fantastic stretch of benevolence can it be presented as a phase of development through which a society, a state, must pass on the way to the full consciousness of its destiny. It lies outside the stream of progress. This despotism has been utterly un-European. And neither has it been Asiatic in its nature. Oriental despotisms belong to the history of mankind; they have left their trace on our minds and our imaginations by their splendor, by their culture, by their art, by the exploits of great conquerors. The record of their rise and decay has an intellectual value; they are in their origins and their course the manifestations of human needs, the

instruments of racial temperament, of conquering force, of faith and fanaticism. The Russian Autocracy, as we see it now, is a thing apart. It is impossible to assign to it any rational origin in the vices, the misfortunes, the necessities or the passions of mankind. This despotism has neither a European nor an Oriental parentage; more—it seems to have no root in either the institutions or the follies of this earth. What strikes one with a sort of awe is just this something inhuman in its character. It is a visitation, like a curse from heaven falling in the darkness of ages upon the human plains of forest and steppe, lying dumbly on the confines of two continents: a true desert harboring no spirit either of the East or of the West.

This pitiful fate of a country, held by an evil spell, suffering from an awful visitation for which the responsibility cannot be traced to either her sins or her follies, has made Russia as a nation so difficult for Europe to understand. From the very first ghastly dawn of her existence as a state, she had to breathe the atmosphere of despotism, she found nothing but the arbitrary will of an obscure Autocrat at the beginning and end of her organization. Hence arises her impenetrability to whatever is true in Western thought. Western thought when it crosses her frontier falls under the spell of her Autocracy and becomes a noxious parody of itself. Hence the contradictions, the riddles, of her national life which are looked upon with such curiosity by the rest of the world. The curse had entered her very soul; Autocracy and nothing else in the world has moulded her institutions, and with the poison of slavery drugged the national temperament into the apathy of a hopeless fatalism. It seems to have gone into the blood, tainting every mental activity in its source by a half-mystical, insensate, fascinating assertion of purity and holiness. The government of Holy Russia, arrogating to itself the power to torment and slaughter the bodies of its subjects like a God-sent scourge, has been most cruel to those whom it allowed to live under the shadow of its dispensation. The worst crime against humanity of that system which we now behold crouching at bay behind vast heaps of mangled corpses, is the ruthless destruction of innumerable minds. The greatest horror of the world—madness—walked faithfully in its train. Some of the best intellects of Russia, after struggling in vain against the spell, ended by throwing themselves at the feet of that hope-

less despotism as a giddy man leaps into an abyss. An attentive survey of Russia's literature, of her church, of her administration, and of the cross-currents of her thought, must end in the verdict that the Russia of to-day has not the right to give her voice in a single question touching the future of humanity, because, from the very inception of her being, the brutal destruction of dignity, of truth, of rectitude, of all that is fruitful in human nature, has been made the imperative condition of her existence. The great governmental secret of that *Imperium* which Prince Bismarck had the insight and the courage to call "*Le Néant*" has been the extirpation of every intellectual hope. To pronounce in the face of such a past the word "evolution," which is precisely the expression of the highest intellectual hope, is a gruesome pleasantry. There can be no evolution out of a grave. Another word of less scientific sound has been very much pronounced of late in connection with Russia's future, a word of more vague import, a word of dread as much as of hope—"Revolution."

In face of the events of the last four months, this word was sprung, instinctively as it were, on grave lips and has been heard with solemn forebodings. More or less consciously, Europe is preparing herself for a spectacle of much violence, and perhaps of an inspiring nobility of greatness. And there will be nothing of what she expects. She will see neither the anticipated character of the violence nor yet any signs of generous greatness. Her expectations, more or less vaguely expressed, give the measure of her ignorance of that *Néant* which for so many years had remained hidden behind the phantom of invincible armies.

Néant! In a way, yes! And perhaps Prince Bismarck has let himself be led away by the seduction of a good phrase into the use of an inexact term. The form of his judgment had to be pithy, striking, engraved within a ring. If he erred, then, no doubt, he erred deliberately. The saying was near enough the truth to serve: and perhaps he did not want to destroy utterly, by a more severe definition, the prestige of the sham that could not deceive his genius. Prince Bismarck has been really complimentary to the useful phantom of the autocratic might. There is an awe, inspiring the idea of infinity, conveyed in the word "*Néant*"—and in Russia there is no idea. She is not a *Néant:* she is and has been simply the negation of everything worth living. She is not empty void, she is a yawning chasm open between East and West;

a bottomless abyss that has swallowed up every hope of mercy, every aspiration towards personal dignity, towards freedom, towards knowledge; every ennobling desire of the heart, every redeeming whisper of conscience. Those that have peered into that abyss—where the dreams of Panslavism, of universal conquest, of hate and contempt for Western ideas, drifted impotently like shapes of mist—know well that it is bottomless; that there is in it no ground for anything that could in the remotest degree serve even the lowest interest of mankind—and certainly no ground ready for a revolution.

The sin of the old European monarchies was not the absolutism inherent in every form of government; it was the inability to alter the forms of their legality grown narrow and oppressive with the march of time. Every form of legality is bound to degenerate into oppression, and the legality in the forms of monarchical institutions sooner perhaps than any other. It has not been the business of monarchies to be adaptive from within. With the mission of uniting and consolidating the particular ambitions and interests of feudalism in favor of a larger conception of a state, of giving self-consciousness, force and nationality to the scattered energies of thought and action, they were fated to lag behind the march of ideas they had themselves set in motion in a direction they could neither understand nor approve. Yet, with all that, the thrones still remain, and, what is more significant perhaps, many of the dynasties too have survived. The revolutions of European states have never been in the nature of absolute protests "*en masse*" against the monarchical principle: they were the uprisings of the people against the oppressive forms of legality. But there never has been any legality in Russia; she is a negation of that, as of everything else having its root in reason or conscience. The ground of every revolution has to be intellectually prepared. A revolution is a short cut in the rational development of national needs in response to the growth of world-wide ideals. It is conceivably possible for a monarch of genius to put himself at the head of a Revolution without ceasing to be the King of his people. For the Russian Autocracy the only conceivable self-reform is suicide.

The same relentless fate holds in its grip the all-powerful ruler and his helpless people. Wielders of a power purchased by an unspeakable baseness of subjection to the Khans of the Tartar

Horde, the Princes of Russia, who in their heart of hearts had come in time to regard themselves as superior to every monarch of Europe, have never risen to be the chiefs of a nation. Their authority has never been sanctioned by popular tradition, by ideas of loyalty, of devotion, of political necessity, of simple expediency, or even by the power of the sword. Its only sanction has been the fear of the lash. Thus debarred from attaining to the dignity of chiefs, they have remained mere owners of slaves, asserting with half-mystical vanity the divine origin of the evil thing which had made them and their people its own. In whatever upheaval Autocratic Russia is to find her end, it can never be a revolution fruitful of moral consequences to mankind. It cannot be anything else but a rising of slaves. It is a tragic circumstance that the only thing one can wish for that people which has never seen face to face either law, order, justice, right, truth about itself or the rest of the world—which has known nothing outside the capricious will of its irresponsible masters—is that it should find in the approaching hour of need, not an organizer or a lawgiver, with the wisdom of a Lycurgus or a Solon for their service, but at least the force of energy and desperation in some as yet unknown Spartacus.

A brand of hopeless moral and mental inferiority is set upon Russian achievements; and the coming events of her internal changes, however appalling they may be in their magnitude, will be nothing more impressive than the convulsions of a colossal body. As her boasted military force that, corrupt in its origin, has ever struck no other than faltering blows, so her soul, kept benumbed by her temporal and spiritual master with the poison of tyranny and superstition, will find itself on awakening possessed of no language, a monstrous full-grown child having first to learn the ways of living thought and articulate speech. It is safe to say that tyranny, assuming a thousand protean shapes, will remain clinging to her struggles for a long time, before her blind multitudes succeed at last in trampling it out of existence.

That would be the beginning. What is to come after? The conquest of freedom to call your soul your own is only the first step on the road to excellence. We in Europe, having gone a step or two further, have had the time to forget how little that freedom means. To Russia it must seem everything. A prisoner shut up in a noisome dungeon concentrates all his hope and

desire on the moment of stepping out beyond the gates. It appears to him pregnant with an immense and final importance; whereas what is important is the spirit in which he will draw the first breath of freedom, the counsels he will hear, the hands he may find extended, the endless days of toil that must follow, wherein he will have to build his future with no other material but what he can find within himself.

It would be vain for Russia to hope for the support and counsel of collective wisdom. Since 1870 (as a distinguished statesman of the old tradition disconsolately exclaimed), "*Il n'y a plus d'Europe!*" There is, indeed, no Europe. The idea of a Europe united in the solidarity of her dynasties, which for a moment seemed to dawn on the horizon of the Vienna Congress through the subsiding dust of Napoleonic alarums and excursions, has been extinguished by the larger glamour of less restraining ideals. Instead of the doctrine of solidarity, it was the doctrine of nationalities, much more favorable to spoliations, that came to the front; and, since its greatest triumphs at Sadowa and Sedan, there is no Europe. Meanwhile, till the time comes when there will be no frontiers, there are alliances so shamelessly based upon the exigencies of suspicion and mistrust that their cohesive force waxes and wanes with every year, almost with the event of every passing month. That is the atmosphere Russia will find when the last rampart of tyranny has been beaten down. But what hands, what voices will she find on coming out into the light of day? An ally she has yet who, more than any other of Russia's allies, has found that she has parted with lots of solid substance in exchange for a shadow. It is true that the shadow was indeed the mightiest, the darkest that the modern world had ever known—and the most overbearing. But it is fading now, and the tone of truest anxiety as to what is to take its place will come no doubt from that and no other direction; and no doubt also it will have that note of generosity which, even in the moments of greatest aberrations, is seldom wanting in the voice of the French people.

Two neighbors Russia will find at her door. Austria—traditionally unaggressive whenever her hand is not forced, ruled by a dynasty of uncertain future, weakened by its duality—can only speak to her in an uncertain bilingual phrase. Prussia, grown in something like sixty years from an almost pitiful dependent

into a bullying friend and evil counsellor of Russia's masters, may indeed hasten to extend a strong hand to the weakness of her exhausted body; but, if so, it will be only with the intention of tearing away the long-coveted part of her substance.

Pan-Germanism is by no means a shape of mists, and Germany is anything but a *Néant* where thought and effort are like to lose themselves without sound or trace. It is a powerful and voracious organism, full of unscrupulous self-confidence, whose appetite for aggrandizement will only be limited by the power of helping itself to the severed members of its friends and neighbors. The era of wars, so eloquently denounced by the old republicans as the peculiar blood-guilt of dynastic ambitions, is by no means over yet. They will be fought out differently, with less frequency, with an increased bitterness and the savage tooth-and-claw obstinacy of a struggle for existence. They will make us regret the time of dynastic ambitions, with their human absurdity moderated by prudence and even by shame, by the fear of personal responsibility and the regard paid to certain forms of conventional decency. For, if the monarchs of Europe have been derided for addressing each other as "Brother" in autograph communications, that relationship was at least as effective as any form of brotherhood likely to be established between the rival nations of this continent, which, we are assured on all hands, is the heritage of democracy. In the ceremonial brotherhood of monarchs the reality of blood ties entered often, for what little it is worth, as a drag on unscrupulous desires of glory or greed. Besides, there was always the common danger of exasperated peoples and some respect for each other's divine right. No leader of a democracy, without other ancestry but the sudden shout of a multitude, and debarred by the very condition of power from even thinking of a direct heir, will have any interest in calling "brother" the leader of another democracy—a chief as fatherless and heirless as himself.

The war of 1870, brought about by the third Napoleon's generous invention of the principle of nationalities, was the first characterized by a special intensity of hate, by a new note in the tune of an old song for which we may thank the Teutonic thoroughness. Was it not that excellent *bourgeoise,* Princess Bismarck (to keep only to great examples), who was so righteously anxious to see men, women and children—emphatically the chil-

dren, too—of the abominable French nation massacred off the face of the earth? This illustration of the new war-temper is artlessly revealed in the prattle of the amiable Busch, the Chancellor's pet "reptile" of the press. And this was only a war for an idea. Too much, however, should not be made of that good wife and mother's sentiments, any more than of the good Emperor William's tears, shed so abundantly after every battle by letter, by telegram and otherwise, during the course of the same war, before a dumb and shamefaced continent. These were merely the expressions of the simplicity of a nation which has a tendency to run into the grotesque. There is worse to come.

To-day, in the fierce grapple of two nations of different race, the short era of national wars seems about to close. No war will be waged for an idea. The noxious, idle aristocracies of yesterday fought without malice for an occupation, for the honor, for the fun, of the thing. The virtuous, industrious democratic states of to-morrow may yet be reduced to fighting over a crust of dry bread for their teeth, with all the hate, ferocity and fury that must attach to the vital importance of such an issue. The dreams of sanguine humanitarians, raised almost to ecstasy about the year fifty of the last century by the moving sight of the Crystal Palace—crammed full with that variegated rubbish which it seems to be the bizarre fate of humanity to purchase for the benefit of a few employers of labor—have vanished as quickly as they had arisen. The golden hopes of peace have in a single night turned to dead leaves in every drawer of every benevolent theorist's writing-table. A swift disenchantment overtook the incredible infatuation which could put its trust in the peaceful nature of industrial and commercial competition.

Industrialism and Commercialism — wearing high-sounding names in many languages (*"Welt-Politik"* may serve for one instance), picking up coins behind the severe and disdainful figure of Science, whose giant strides have widened for us the horizon of the universe by some three inches—stand ready, almost eager, to appeal to the sword as soon as the globe of the earth has shrunk beneath our growing numbers by another ell or so. And Democracy, which has elected to pin its faith to the supremacy of material interests, will have to fight their battles to the bitter end, on a mere pittance—unless, indeed, some statesman of exceptional ability and overwhelming prestige succeeds in

carrying through an international understanding for the delimination of spheres of trade all over the earth, on the model of the territorial spheres of influence marked in Africa to keep the competitors, for the privilege of improving the nigger (as a buying machine), from flying at each other's throats.

This seems the only expedient at hand for the maintenance of European peace, with its alliances based on mutual distrust, the preparedness for war for its ideal, and fear of wounds—luckily stronger so far than the pinch of hunger—for its only guarantee. The true peace of the world will be a place of refuge much less like a beleaguered fortress and more, let us hope, in the nature of an inviolable temple. It will be built on less perishable foundations than those of material interests. But the architectural aspect of the universal city remains as yet inconceivable, the very ground of its erection has not been cleared of the jungle.

Never before in history has the right of war been more fully admitted in the rounded periods of public speeches, in books, in public prints, in all the public works of peace, culminating in the establishment of The Hague Tribunal—that solemnly official recognition of the Earth as a House of Strife. To him whose indignation is qualified by a measure of hope and affection, the efforts of mankind to work its own salvation present a sight of disarming comicality. After clinging for ages to the steps of the throne, they are now, without modifying much their attitude, trying with touching ingenuity to steal one by one the thunderbolts of their Jupiter. They have removed war from the list of heaven-sent visitations that could only be prayed against; they have erased its name from the supplication against the wrath of war, pestilence and famine, as it is in the litanies of the Roman church; they have dragged the scourge down from the skies and have made it into a calm and regulated institution.

The best way to help the prospects of advanced thought is to provide in the fullest, frankest way for the conditions of the present day. War is one of its conditions; it is its principal condition. It lies at the heart of every question agitating the fears and hopes of a humanity against itself. The succeeding ages have changed nothing except the watchwords of the armies. The intellectual stage of mankind being as yet in its infancy, and stages, like most individuals, having but a feeble and imperfect consciousness of the worth and force of the inner life, the need of

making their existence manifest to themselves is determined in the direction of physical activity. The idea of ceasing to grow in territory, in strength, in wealth, in influence—in anything but wisdom and self-knowledge—is odious to them as an omen of the end. Action, in which is to be found the illusion of a mastered destiny, can alone satisfy our uneasy vanity and lay to rest the haunting fear of the future—a sentiment concealed, indeed, but proving its existence by the force with which, when invoked, it stirs the passions of a nation. It will be long before we have learned that even in the greatest darkness there is nothing that we need fear. "Let us act, lest we perish," is the cry. And the only form of action open to a state can be of no other than aggressive nature.

There are many kinds of aggressions, though the sanction of them all is one and the same—the magazine-rifle of the latest pattern. In preparation for or against such a form of action, the states of Europe are spending such moments of leisure as they can snatch from the labors of factory and counting-house.

Never before has war received so much homage at the lips of men, never has it reigned with less undisputed sway in their minds. It has harnessed science to its gun-carriages; it has enriched a few respectable manufacturers, scattered doles of food and raiment amongst a few thousand skilled workmen, devoured the first youth of whole generations and reaped its harvest of countless corpses. It has perverted the intelligence of men, women and children, and has made the speeches of Emperors, Kings, Presidents and Ministers monotonous with ardent protestations of fidelity to peace. Indeed, it has made peace altogether its own; it has modelled peace on its own image—a martial, overbearing, war-lord sort of peace, with a mailed fist and turned-up mustaches, ringing with the din of grand manœuvres, eloquent with allusions to glorious feats of arms; it has made peace so magnificent as to be almost as expensive to keep up as itself. And it has taken even more upon itself. As if it were the prophet of a new faith, it has sent out more apostles of its own, who at one time went about, mostly in newspapers, preaching the gospel of the mystic sanctity of its sacrifices and the regenerating power of spilt blood to the poor in mind—whose name is legion.

It has been observed that, in the course of earthly greatness, such a day of culminating triumph is often paid by a morrow of

sudden extinction. Let us hope so. Yet the dawn of that day of retribution may be a long time breaking above a dark horizon. War is with us now; and, whether this one ends soon or late, war will be with us again. And it is the way of true wisdom for men and states to take account of things as they are.

Civilization has done its little best by our sensibilities, for whose growth it is responsible. It has managed to remove the sight and sounds of battle-fields away from our doorsteps. But it cannot be expected to achieve the feat always and under every variety of circumstance. Some day it must fail. Then we shall have a wealth of appallingly unpleasant sensations brought home to us with painful intimacy, while the apostles of war's sanctity will crawl away swiftly into the holes where they belong, somewhere in the yellow basements of newspaper offices. It is not absurd to suppose that, whatever war comes to us next, it will not be a distant war of *revanche* waged by Russia either beyond the Amur or beyond the Oxus.

The Japanese armies have laid that ghost for many a year. They have laid it forever, because the Russia of the future will not, for the reasons explained above, be the Russia of to-day. It will not have the same thoughts, resentments or aims. It is even a question whether it will preserve its gigantic frame unaltered and unbroken. All speculation loses itself in the magnitude of the events made possible by the defeat of an Autocracy whose only shadow of a title to existence was the invincible power of military conquest. That it will have a miserable end, in harmony with its base origin and inglorious life, does not seem open to doubt. The problem of the immediate future is posed not by the eventual manner but by the approaching fact of its disappearance.

The Japanese armies, in laying the oppressive ghost, have not only accomplished what will be recognized historically as an important mission in the world's struggle against all forms of evil; they have also created a situation. They have created a situation in the East which they are competent to manage by themselves: and, in doing this, they have brought about a change in the condition of the West with which Europe is not well prepared to deal. The common ground of concord, good faith and justice is not sufficient to establish an action upon; since the conscience of but very few men amongst us, and that of no single Western

nation as yet, will brook the restraint of abstract ideas as against the fascination of a material advantage. And an eagle-eyed wisdom alone cannot take the lead of human action, which in its nature must forever remain short-sighted. The trouble of the civilized world is the want of a common conservative principle abstract enough to give the impulse, practical enough to form the rallying-point of international action tending towards the restraint of particular ambitions. Peace tribunals instituted for the greater glory of war will not replace it. Whether such a principle exists, who can say? If it does not, then it ought to be invented. A sage, with a sense of humor and a heart of compassion, should set about it without loss of time; and a solemn prophet full of words and fire ought to be given the task of preparing the minds. So far, there is no trace of such a principle anywhere in sight; even its plausible imitations (never very effective) have disappeared long ago before the doctrine of national aspirations. *"Il n'y a plus d'Europe";* there is only an armed and trading continent, the home of slowly maturing economical contests for life and death, and of loudly proclaimed world-wide ambitions. There are also other ambitions, not so loud, but deeply rooted in the envious acquisitive temperament of the last comer amongst the great Powers of the Continent, whose feet are not exactly in the ocean—not yet, whose head is very high up. In Pomerania, the breeding-place of such precious grenadiers, Prince Bismarck (whom it is a pleasure to quote) would not have given the bones of one for the settlement of the Eastern Question. But times have changed since. By way of keeping up some old, barbaric German rite, the faithful servant of the Hohenzollerns was buried alive to celebrate the accession of a new Emperor.

Already, the voice of surmises has been heard hinting tentatively at a possible regrouping of European Powers. The alliance of the three Empires is supposed possible. And it may be possible. The myth of Russia's power is dying very hard—hard enough for that combination to take place—such is the fascination that a discredited show of numbers will still exercise upon the imagination of a people trained to the worship of force. Germany may be willing to lend its support to a tottering Autocracy for the sake of an undisputed first place in such a combination—and of a preponderating voice in the settlement of every question

in that Southeast of Europe which merges into Asia. No principle being involved in such an alliance of mere expediency, it would never be allowed to stand in the way of Germany's other ambitions. The fall of Autocracy would bring its restraint automatically to an end. Thus it may be believed that the support Russian despotism may get from its once humble friend and client will not be stamped by that thoroughness which is supposed to be the mark of German superiority. Russia weakened down to the second place, or Russia eclipsed altogether during the throes of her regeneration, will answer equally well the plans of German policy, which are many and various, and often incredible, though the aim of them all is the same—aggrandizement of territory and influence with no regard to right and justice either in the East or in the West. That and no other is the true note of your *Welt-politik* which desires to live.

The German eagle with a Prussian head looks all round the horizon, not so much for something to do that would count for good in the records of the earth, as simply for something good to get. He gazes upon the land and upon the sea with the same covetous steadiness, for he has become of late a maritime eagle and has learned to box the compass. He gazes North and South and East and West, and is inclined to look intemperately upon the waters of the Mediterranean when they are blue. The disappearance of the Russian phantom has given a foreboding of unwonted freedom to the *Welt-Politik*. According to the national tendency, this assumption of Imperial impulses would run into the grotesque, were it not for the spikes of the pike-shanks peeping out grimly from behind. Germany's attitude proves that no peace for Earth can be found in the expansion of material interests which she seems to have adopted exclusively as her only aim, ideal and watchword. For the use of those who gaze, half-unbelieving, at the passing away of the Russian phantom—part Ghoul, part Djinn, part Old Man of the Sea—and wait, half-doubting, for the birth of a nation's soul in this age which knows no miracles, the one famous saying of poor Gambetta, tribune of the people (who was simple and believed in the "immanent justice of things"), may be adapted in the shape of a warning that, so far as a future of liberty, concord and justice is concerned, "*Le Prussianisme—voilà l'ennemi!*"

JOSEPH CONRAD.

THE INDUSTRIAL SITUATION IN IRELAND.

BY J. W. ROOT.

I HAVE recently had an exceptionally favorable opportunity of investigating the conditions under which the various industries throughout Ireland are being conducted, seeing and hearing what state of efficiency they are in, and forming some idea regarding prospects for the future. I visited nearly all the important works and factories in the island; those I did not call at were either isolated and too far out of my track, or having met the principals elsewhere I had really no excuse for going.

My experience, too, was an agreeable one, as I was nearly always frankly and courteously received, and the information I managed to pick up was both extensive and reliable. Had I gone solely for the purpose of investigation, I suppose my plan would have been to seek formal introductions to a few of the representative men in the different industries, and gather their ideas, which would have been specially prepared for the occasion, and necessarily more or less tinged by their individual interests and predilections. As it was, I interviewed both small and great, and as there was seldom any premeditated intention of opening a discussion with me, the many interesting conversations that ensued were spontaneous and based on the discovery that each could tell the other something worth knowing.

Any reference to industrial Ireland naturally brings foremost to the mind Belfast and the north, if not, indeed, the particular industry for which they have become famous—namely, the manufacture of linen fabrics. First impressions of that city are generally favorable, and a week or two's sojourn in it is more than likely to confirm them. I do not know any city or fair-sized business town in the whole of the United Kingdom, and I have visited them all, that excels it, and few that equal it, in the

evidences alike of public spirit and private enterprise. Recent years have witnessed great improvements; many of the important buildings are new, while here and there a still vacant site affords additional evidence of the sweeping away of old and more or less dilapidated property.

What is it that has made Belfast the foremost city, commercially and municipally, in Ireland, and placed it in the front rank among those of the British Empire? I found nothing extraordinary about the men I met there. Now and again, I encountered one of marked individuality and striking ability; the majority were of fair average ability, sometimes accompanied by a worldly prosperity that rendered it unnecessary to put forth anything more, while a few gave me insufficient clue as to where their special ability lay.

But, if Belfast enjoys no special advantages as regards its people, it certainly does in geographical situation. This may sound strange when it is borne in mind that it is severed by a broad belt of not usually very calm water from the busiest arteries of British industry and commerce. But whatever drawback this entails is personal, and to the extent only that it disinclines a few people to conduct their negotiations at close quarters quite as often as they might otherwise be disposed to do. When it comes to the transport of merchandise, however, every advantage is on the other side. No monopolies trouble the merchant or manufacturer, and the British railway companies that take such precautions against cutting rates in favor of British traders fight one another to the death for the privilege of conveying Irish traffic cheap. Those with an outlet on the Irish Sea have established their own lines of steamers, and quote through rates from the inland towns of Great Britain that make it desperately hard for the regular steamship owners to make ends meet, even at such times as they are not fighting among themselves. Talk to a British manufacturer about his grievances, and he is almost certain to put excessive railway rates at the head of the list. Suggest the same thing to his Belfast correspondent, and he smiles complacently. If any one wants to hear of the ruin and devastation that follow in the wake of transport charges, he must interview the representatives of cross-channel steamship and railway companies.

It must not be supposed that Ireland in general has no grievances on this score. They are numerous as well as tangible, and

few business questions occupy so much of the time of public bodies. The unique position I have described is not, however, enjoyed solely by Belfast, but is shared to some extent by such of the other Irish ports as can maintain regular and frequent direct communication with the other side of the channel.

But to none is the gain so pronounced as to Belfast and the surrounding district dependent on it. Its industries are Irish only to the extent that the actual manufacture takes place on Irish soil; and, were they dependent solely on Irish demand, four-fifths, if not nine-tenths, of the machinery would be brought to an absolute stand. The enumeration of Belfast's principal industries is sufficient to prove this. First and foremost is linen, which owes its origin to natural causes—one the growth of flax on Irish soil, which has now, however, fallen to such small proportions as to be scarcely a factor, though great efforts are being made to resuscitate it; the other, abundance and purity of water, along with dampness and general suitability of climate for bleaching purposes, which remain as great as ever. It is estimated that quite half the output of Irish looms finds its way to foreign and colonial destinations, most of the other half being purchased for British use, nine-tenths of the total leaving Ireland altogether.

It is to its two great shipyards, for which Belfast Lough affords magnificent facilities, that the city owes its recent rapid expansion and growth of prosperity, more than anything else. One of them is the premier yard of the world, and nearly every year puts into the water a tonnage far in excess of any of its competitors. The other would be a foremost concern anywhere but in Belfast, where, however, it is overshadowed. Both build great ocean steamers, and few of these after once leaving the port ever return to it, or to any other in Ireland, except for the purpose of landing passengers and mails.

Nearly everything, too, used in construction is brought across the channel, the advantages previously alluded to placing the builders in an equal, if not superior, position to their English and Scotch rivals, so that the real gain to Ireland from this industry originates in the distribution of wages, which are immense when nearly 20,000 men are working full time.

This includes the number employed in the engine-shops attached to the shipyards. With this exception, engineering is not a prominent industry in Belfast, the one concern carrying on a

general business in a large way having gone into liquidation after a long, brilliant and, for a time, prosperous career; and, as it worked largely to supply machinery for local purposes without depending to any extent on British or foreign trade, it was more closely identified with Irish industry. Another more recent but similar concern went the same way, and to-day the industry is represented by textile machinists working for the linen trade, and another firm whose specialties are for tea preparation and sends most of its output to India.

Two other industries, the product of which is little used at home, call for special mention, the manufacture of coarse felt for roofing purposes, of which Belfast is by far the most important centre, and rope and twine making, which though almost monopolized by one concern is conducted by it on an immense scale. On the other hand, there are a few more thoroughly Irish. The tobacco factories dispose of a large part of their output at home. Milling, which for a time had almost ceased to exist in Belfast, has not only revived, but with modernized plant and methods has become very prosperous, and in this case the entire production is consumed locally. The same applies to the manufacture of soap and candles; for, though it has not proved possible for the makers of these to compete successfully outside Ireland, they have pretty well driven their British rivals off the field as far as the north is concerned.

This brief survey explains why the industrial and trading population of Ulster hold themselves so persistently aloof from the rest of Ireland. Had the difference been merely one of race and religion, time would probably have mollified the antagonism, had business interests and necessities thrown the two sections more into contact. As it is, this antagonism has been aggravated by the necessity of Ulster looking to Great Britain primarily for a continuance of its business prosperity, and a corresponding feeling that, were the rest of Ireland to disappear under the Atlantic to-morrow and leave only the eastern half of the northern province afloat, it would be far more of a relief than a loss.

Outside Belfast, the linen trade in one or other of its branches accounts for most of the industrial activity that prevails in Ulster, though the larger bleach-works get a good deal of material to handle from the Lancashire cotton factories, and there are also one or two calico-printing works quite outside, and independent

of the British combine. A paper-mill, two considerable woollen factories in the neighborhood of Ballymena, and a carpet factory far out in Donegal owned by a large Scotch firm, pretty well constitute the minor industries, until Londonderry is reached, where something like 20,000 hands, mostly female, are engaged in shirt factories, the principal of which belong to English dry-goods houses, who furnish the material and do most of the subsequent distributing.

The characteristics of industrial Ulster become less marked as the south of the province is reached. The counties of Antrim and Armagh are aggressively and overwhelmingly Protestant and Orange, whereas the southern portion of County Down, containing a number of large mills and factories, is decidedly Catholic. But the dividing line is not usually drawn even at the boundary between Ulster and Leinster, but goes farther south into the latter, people referring to "north of the Boyne" and "south of the Boyne" as representing the areas of British ascendency and Irish domination respectively, though this has long ceased to be the case. The linen industry, however, extends right down to this river, there being two or three fair-sized factories still working at Drogheda, and another a hopeless derelict. But between it and the Ulster border town of Newry, there is little but agriculture in evidence, the one important exception being the locomotive and engineering works of one of the railway companies, located at Dundalk.

Though there are other places along the east coast that invite industrial development, nothing of the sort is to be seen or heard of except an occasional brewery and one or two hosiery factories a little to the north of Dublin. In the capital of the country, one naturally looks for, and expects to find, some of that enterprise that distinguishes the northern town; but the search, to be rewarded, requires to be pretty persistent. Of course, everybody in the United Kingdom, and probably many people in America, have heard of the great brewery there, which not only tries to assuage the thirst of the entire Irish people, but follows them to the ends of the earth. There used to be other breweries in Dublin as well, but this one has found no need to swallow them up, as it has succeeded in drowning them out. Scarcely less prominent are the distilleries, of which there are still three or four, though two of them are reputed to be giving the others a very bad time.

Whatever these industries may do for the material wealth of Dublin, I do not think they add anything to its social well-being, and Belfast would hardly be the place it is if it exchanged its flax-spinning and weaving mills for breweries and distilleries.

Though the trade of these concerns is largely local, or at any rate Irish, the world-wide reputation they have gained assures the export to Great Britain and oversea of a considerable part of their production, and so enriches the country by that means. With one exception, these are about the only Dublin industries of which this can be said. That is a great biscuit factory, which finds the bulk of its customers outside Ireland, as the Irish people show little of the British partiality for biscuits and cakes.

Of what may be termed great industries, Dublin possesses really none. The most prominent, particularly to the olfactory nerve, after those already mentioned, are the chemical manure works; and, Ireland being essentially an agricultural country, the demand for these is, or should be, very great. It is, at any rate, in excess of home production, as the import of British and other foreign stuffs is considerable, and I doubt if in this instance any appeal to national sentiment will ever get the better of chemical analysis. As in Belfast, soap-making is pretty well established; I cannot say whether it is more or less profitable than in the northern town; it certainly has gained nothing like the same monopoly, and one or two of the more energetic English firms do a considerable trade in competition with them.

With the exception of milling, which here, as in other parts of Ireland, has experienced a remarkable revival, there is nothing left of sufficient national, to say nothing of international, importance to justify mention. In most cases, the other individual industries are almost entirely local, and the owners well satisfied to obtain a share of the Irish trade which falls principally into the hands of English and Scotch firms, to whom this local competition makes hardly any appreciable difference. Much of the active business life of Dublin originates with the representatives of such firms, many of them permanently installed in the city, while others are satisfied with periodical visits.

Nobody ever associates the south or west of Ireland with industrial activity, and for nearly a hundred miles due south of Dublin the land is industrially barren. I came across but two factories, the first outside the town of Wicklow, a branch of one

of the Dublin manure-works, the other at Arklow, also a branch, of a large Birmingham explosives and ammunition firm, neither of them, therefore, working directly on their own initiative. The latter was started many years ago, admittedly as an experiment, but the difficulties proved so great that it was shut down again. I was pleased to find, however, that it was once more working, with every prospect of permanency and success. Veritably, two oases in an industrial desert, though it possesses harbors and other advantages that ought to be attractive to energy and capital.

Wexford, in the extreme southeast corner of Ireland, is geographically the Belfast of the south, though it has a long way to travel before, in any respect, it gets anything near level with its northern prototype. Outside Belfast, it is the most important, indeed the only other, engineering district in the whole country. It stands in relation to the coal and iron resources of South Wales as Belfast does to Lanarkshire and Cumberland, and can draw unlimited supplies of both at cheap rates, or rather could do so if the demand justified growth of competition in the carrying trade, and the harbor were rendered less treacherous than it is at present. The speciality of the Wexford industry is agricultural implements and dairy machinery, of which large quantities are annually produced and sold throughout the country.

Travelling westward from this point, there is nothing noteworthy until Waterford is reached, and here we first make acquaintance, on a large scale, with the bacon-curing establishments. These belong more to the realm of agricultural than of manufacturing economy, to which we are particularly addressing ourselves; but it is far too important an industry in the three leading towns of the south and west to be overlooked. Indeed, Waterford has little else, though it is important as a seaport and distributing centre for grain and cross-channel traffic.

The city of Cork is rightly regarded as the southern metropolis. It is the third largest of the Irish towns, though it contains less than a third of the population of either of the other two, and a stranger entering it probably does not expect great things. I did not, and was all the more agreeably surprised to discover before I left a hopefulness and activity not prevalent even in Belfast, and about which I shall have something to say presently. The town has always been specially identified with the butter trade, though it no longer enjoys anything like its former importance with

regard to it. The establishment all over the country of creameries has rendered the grading of the Cork butter merchants superfluous, much of the produce passing direct from the factory to the buyers on its own merits or the reputation of the particular makers.

That, like bacon-curing, pertains to agriculture, but milling is to-day the most active industry, and as nearly all the grain is imported, it has but little to do with agricultural Ireland. But Cork is likewise the chief centre of the Irish woollen industry, three of the principal mills in the country being within a few miles of the town, the entire process of converting fleece into cloth being gone through in two of them. The local demand for their goods has latterly much increased, though they have always been dependent mainly on the London and other English markets. Another textile factory, the only one of its kind in the south, is engaged in the manufacture of linen, but, as its output is all distributed in the district, it differs materially from the Belfast industry, and maintains connection with it principally for the supply of its raw material.

There is but one other town demanding special mention, namely Limerick; but it is a fairly important one, inasmuch as it is the centre of the bacon-curing industry, and has also two of the largest corn-mills in the country. Butter, chocolate and biscuits are other considerable items of production, and the only large tannery in Ireland is to be found there. It has also the largest clothing factory in the country, giving employment to about a thousand hands. Several of the most energetic and enterprising firms to be found anywhere in Ireland have made this town their headquarters, and it is rather surprising it has not made greater progress than there is actual evidence of.

A mere summary of the various industries to be found in Ireland, while it may be interesting, can have no particular practical value, and it is with their future, rather than their past or present, that we are more directly concerned. There is a belief prevalent that the country is about to experience an industrial awakening and take a more important place among the progressive countries of the world, and the question arises whether the material for such development actually exists or can be created. One would suppose the greatest enthusiasm in this direction would be experienced in the north, where manufacturing industry has long been firmly and profitably established. But there I dis-

covered little, though machinery and appliances are generally in a very efficient state. One manufacturer I did meet who has great hopes for the future of the linen trade, and looks forward to the time when that textile will be as cheap as cotton—should that ever happen, it will be due, partly at any rate, to his own mechanical genius. But the more general opinion is inclined to be somewhat gloomy. It is pointed out that flax-spinning makes no progress, that within the last ten years the number of spindles has tended to diminish, and that no increased output of yarn compensates for the deficiency. Yet the quantity produced is totally inadequate for local requirements, and large supplies are regularly imported from Belgium, France and other Continental countries. This, of course, is a grievance of the spinning community, which has a remedy for it, just now very popular among manufacturers of all classes, but one that the population of Great Britain shows a determination to reject.

As this competition tends to cheapen the price of yarn, it might be supposed that weavers, where they are not at the same time spinners, would be found in the opposite fiscal camp. A large majority of them, however, are strongly protectionist in sympathy, though exactly how such a policy would benefit them, few can explain, or for that matter comprehend; and I suspect their attitude is more political than economic. Protection in Great Britain would hardly help them, there is too much competition among themselves to enable them to take advantage of it. On the other hand, the large foreign trade would be jeopardized by any increased cost of production or restriction of output, and the linen trade is more dependent on this than any other British industry with the single exception of cotton. Linen is the one fully manufactured article used in the United States that no tariff has succeeded in displacing; and, whereas other textile manufacturers have had to lament an almost total loss of trade, Belfast has hardly turned a hair. True, complaints are heard from some of the makers up of handkerchiefs and other small articles, that part of their trade has been interfered with, and that goods in the piece instead of finished are in increasing demand; but a journey round the immense piles of warehouses where thousands of hands are regularly employed in making up for foreign markets, suffices to show that what is left is worth having.

Belfast has discovered that America cannot compete where any

considerable amount of hand labor is involved, and takes care, as far as it is within its power, to order the prevailing fashions in forms that no machines invented are capable of turning out. The cute Yankee sets to work to devise them, only perhaps to find, when successful, that he is a day behind the fair, and that another change of fashion has given him his trouble for nothing.

This tone of pessimism pervades the industry to an even more marked degree in the scattered districts outside Belfast, and possibly with somewhat more reason. Nowhere are there any signs of expansion; and, whereas the tendency throughout Great Britain is to remove industrial concerns from the denser centres of population, in the north of Ireland it is the reverse, and the trade is becoming ever more concentrated in Belfast. There are reasons for this. In the first place, the persistent diminution of the agricultural population correspondingly reduces the supply of factory labor, and in Londonderry this has reached such a point, that when I was there the shirt factories were suffering from a positive dearth of hands, while I was reading in the newspapers about the number of unemployed all over the country. Even the smaller towns in the north are losing population, partly by emigration over sea, but to some extent by removal to Belfast, where manufacturers find that a constant and regular supply of labor is more to be relied on than anywhere else. The result is that, whenever a new mill or factory is contemplated, it is arranged for either within Belfast itself, or not more than a mile or two out of it, and the country districts are losing relatively, if not actually, their importance in the industry.

Thus to talk to people in the staple trade of the north of industrial revival is to use language few of them comprehend. They are busily occupied holding their own; and, so far from having many opportunities of encroaching upon others, their constant dread is lest they themselves should be encroached upon. They never quite lose the fear that some change in climate, or more likely the creation of artificial atmosphere or other conditions, may make the linen manufacture possible in America, in which event they would have to face the loss of at least one-fourth of their total trade, without at present any perceptible outlet to transfer it to. Though such fears are probably groundless, they effectually suppress that exhilaration which is very often the forerunner of expansion and solid progress.

In Dublin, however, there are distinct evidences of the so-called "Irish revival." Shopkeepers invite their patrons to "Support Irish Industry," and fill their windows with goods "manufactured in Ireland," sometimes giving the names of the makers and the places where the goods are made. It is an appeal to national sentiment, which, for the time being, is liberally responded to, though generally the same goods were previously bought by the same people without that special recommendation. I was confirmed in this opinion when, in answer to my inquiries, I was told by some of the local manufacturers whose goods were being pushed, that they had not experienced any special stimulus, and I more than suspected that it was the tradesman who derived the benefit, availing himself on the one hand of the competition of English and Scotch firms to modify the pretensions of Irish makers, and on the other raising the price a trifle on the strength of popular sentiment. That sentiment has hardly taken sufficient root to warrant an extension of industry in the immediate vicinity of the capital, and the suspicion that it may after all be but a passing phenomenon, and any day collapse, makes even enterprising people cautious.

But in the south there is genuine enthusiasm and belief in the new movement which is already having practical results. The people of Cork trace the revival to the industrial exhibition held in their city two or three years ago, when most of them were surprised to find how many different articles were produced, or capable of being produced, in the country. I have already mentioned milling as the chief industry of the town itself. A special stimulus was given to this by the partial failure of the American wheat harvest, and the opportunity it afforded to speculators, of raising and maintaining the price considerably above European parity, which promptly destroyed the ability of American millers to export flour produced from home-grown wheat. Half a dozen years ago one or two Cork millers on the alert would have made a good thing out of this, and looked for a speedy reversion to the old conditions. This time, everybody seemed alive to the possibilities, and any building that had been used as a mill, or seemed capable of being turned into one, was overhauled and filled with modern machinery, with the result that the output has within a very brief period doubled if not trebled. What is more, Cork declares that America will never get its south of Ireland

trade back again, and that the adoption of modern machinery and methods has made Cork ready to face any competition.

This is the right spirit and it has seized other industries besides milling. In addition to the large woollen factories already alluded to, a number of smaller ones are scattered over the counties of Cork and Kerry. Their existence has long been precarious, sometimes idle, sometimes at work; occasionally at a profit, but more frequently, I suspect, at a loss. This is all changed, and I suppose there is not a spindle or loom not now working for all it is worth, without being able to satisfy the demand upon it. So that, whereas to the manufacturers of the north the idea of industrial revival has hardly occurred, those in the neighborhood of Dublin read about it in the newspapers, and see some evidences of it in shop-windows, men fortunate enough to be located in the south are experiencing it in the increased demand for their goods, and the good prices they obtain.

If further proof were needed of the reality of the movement, it is to be found in the evidence of commercial travellers and other representatives of British houses. Accustomed to book more or less substantial orders at their recurring visits, many of them are going almost empty away, with just enough to keep accounts open. The explanation given them is not that trade is slack, but that everybody wants Irish-made goods, and appears willing to pay the price for them.

Outside the immediate sphere of this impulse, the idea prevails that it will be short-lived, and no special efforts have yet been made to combat it. The question may well be asked, why so admirable a movement should be combated at all, but people whose trade is threatened with displacement will hardly be willing to submit without a struggle. Therein lies the danger; for, if American millers in the desire to regain the market for their flour, and English and Scotch houses equally desirous of maintaining their business connections, begin to cut prices below cost in the hope of running their new rivals off the ground, they will arouse exasperation and agitation they do not reckon on.

The Irish people always made it a grievance that their former industries were destroyed by English legislation for the benefit of English rivals. I believe this idea to be mistaken, because the handful of manufacturers outside the north, who, when the crisis arrived, adopted the new methods and put in new machinery,

mostly survived, and some of them amassed considerable fortunes. But, against attacks such as I have described, the Irish people are certain to demand some sort of protection, which it will be difficult to refuse. The picture of budding national industry and prosperity crushed under the iron heel of wealthy and long-established foreign monopolists will be harrowing, and the painting of it will create more friction between the two countries than anything that has happened since the days of coercion. The British Parliament may either be itself compelled to take some action, or delegate the power of doing so into the hands of the Irish people. Not so difficult an operation, perhaps, as it looks, because on this particular subject the sharp lines of division that exist in everything political are almost entirely obliterated.

I saw and heard enough to convince me that this industrial revival in the south is one of the most promising and substantial movements that have been promoted in Ireland for many a day. It has broken down party barriers between those taking part in it; Nationalist and Unionist, Protestant and Catholic, working with equal enthusiasm for what they regard as the common good. The principal internal danger that threatens is that it may be too much localized, from a desire to retain the benefits exclusively for the Irish people. The natural facilities that, under present-day economic conditions, the country affords are so great that I believe the people are amply justified in aiming at supplying far more than local wants, and that they are capable of taking an honorable place in international industry and competition.

For this they do not possess to-day either sufficient population or capital, and what is most wanted is an influx of both. I am sure the leaders of the movement would welcome them from whatever quarter they came; I am not so sure that considerable opposition will not be offered by that section—a gradually declining one, both in influence and numbers—that is antagonistic to everything and everybody that is not Irish in origin and Roman Catholic in religion. The best thing probably that can happen to the south is a movement that tends to equalize the races, and minimize that clerical influence in secular affairs that derives its strength from overwhelming preponderance of population. It is just possible that industrial development may supply the long-sought solution of the political problem.

J. W. Root.

UNITED STATES COPYRIGHT LAW AND INTERNATIONAL RELATIONS.

BY G. HERBERT THRING, SECRETARY OF THE INCORPORATED SOCIETY OF AUTHORS.

In the January number of this Review, Mark Twain, with his usual originality and not without his usual humor, discussed one aspect of the present position of the United States copyright law in its bearing on the work of United States authors—namely, the duration of copyright. But there are some further points of this same law which are fully as worthy of consideration: (1) The United States law as a sign of the evolution in the protection of the intellectual property of its own citizens; (2) The United States law as it affects those who are not citizens.

Before these points come forward for elucidation Mark Twain's article and the proposal it contains merit serious study.

His objection to the copyright law as it affects American citizens by the forty-two years' limit would apply equally well to any copyright law as it affects citizens of any country. For, with the exception of Mexico, Guatemala and Venezuela, where copyright is, we believe, perpetual, every country has fixed its limit. The longest term is in Spain, where it endures for the life of the author and eighty years.

Before the invention of printing no copyright statutes existed, and after the author had received a fee from the bookseller for the right to deal with what might be looked upon as a limited first edition of the work, the author had no rights whatever.

Accordingly, by long usage the public came to consider that the rights in intellectual property were its own; and only after the invention of printing, and after the trade had been severely affected by competition, did copyright laws come into fashion—originally framed to protect the trade rather than the author.

Still the public clamored for what in those unenlightened days it considered its property, and a limitation on what was looked upon as an author's monopoly was fixed; but, as Mark Twain has pointed out, on one side only did the public gain advantage from the absence of protection under which the author suffered. It was really the publisher who reaped the benefit, for after the time limit had expired, he kept reproducing editions without payment to the author, and for his own commercial gain.

The tendency of modern copyright legislation has been to lengthen the term of copyright.

Mark Twain suggested a method by which the author's rights might be continued for the advantage of the author or his descendants. But, though agreeing with the principle, we take the liberty, after a long and careful study of the subject, to differ from the solution.

He desired that during the forty-second year—the last year of the copyright limit in the United States—the owner of the copyright should be obliged to issue an edition of the book at the following rates, "to wit, twenty-five cents for each 100,000 words or less of its contents, and keep the said edition on sale year after year indefinitely, and if in any year he shall fail to keep such edition on sale during the space of three months the copyright shall then perish."

There appear to be three objections to this method, the first a financial and commercial objection. The prices of print and paper vary, and it might at times be almost impossible to produce a twenty-five cents per 100,000 words edition which would bring in a return to the author. The second objection is a legal one: what would constitute keeping such an edition on sale?

The third is an objection from the public; if any one is to reap the benefit of continued issue, the author is primarily entitled to do so, but the public have a better claim than the publisher to the balance of the profits.

This alternative solution of the difficulty is put forward with all humility—a solution which would benefit the public as well as the author—namely, that the government, to the exclusion of others, should start a publishing business in order to supply the public demand for any books which would have fallen out of copyright under the existing law, and that it should be bound to produce them, paying a royalty—to be settled—to the author

or his personal representatives. All further profits accruing from the publication would then go to the public as a whole, and not to the individual publisher.

We desire next to consider the United States Act as it affects those who have not the privileges of citizenship, and especially those who write in the English tongue,—that is, the international view of the present law.

In order to make the position clear and distinct to those—and there are many—who do not know the main features of the question, it will be necessary to put forward as concisely as possible a few of the facts from the history of copyright.

At the end of the eighteenth and the beginning of the nineteenth century, there was great activity in copyright matters all over the world. Three or four of the great civilizations were legislating on the subject, and amongst them the United States. Connecticut, Massachusetts, Virginia and New York passed legislative enactments about 1780. These State laws, however, were upset by the United States statute of 1790.

In Great Britain, the Act of Queen Anne was still in force; but other Acts were passed during the same period, the great majority of which have since been repealed.

France, after the Revolution, also took the subject in hand.

But, so far, each country was legislating for its own citizens, and would not admit foreigners to the benefit of its copyright laws. This tendency arose, no doubt, from the ignorance of the legislators, who were unable to grasp the real benefit of a broad copyright basis.

There were three reasons which, working out in slow evolution, made international copyright essential:

Firstly, the limitation of the market of the authors of a given country; this acted as a limitation on the literary output of that country. Secondly, the limitation of the market which enabled the trade of a country to pirate the productions of the great authors of other countries; this also tended to limit the literary output, as the work of its own citizens was undersold. Lastly, the fact that the piracy of the works of the eminent writers of other countries soaked a nation with foreign ideas, and destroyed those patriotic feelings which a great national literature would tend to produce. The importance of this point has not been sufficiently understood.

To quote a concrete instance: A deputation of the citizens of Hungary—a country still outside the Bern Convention—appealed to the Government, and complained that the large influx of thought from other countries tended to foster in that country the spirit, the tone, the sentiments of foreigners, and that the young generation were not growing up Hungarian patriots full of the vigor and sentiments of their race, but nerveless cosmopolitans. They stated that this result was due to the suppression of genuine Hungarian Literature, owing to the unfair competition by piracy of foreign works.

Towards the middle of the nineteenth century began the first important move towards international copyright.

In Great Britain the first step was taken by an International Copyright Act passed in 1838. This was quickly followed by a new International Copyright Act, in 1844, giving wider powers and embracing a larger literary property. Under this Act, a Convention was formed with Prussia. Most of the German States followed with separate Conventions based on the same lines. A Convention with France was granted in November, 1851. The other European countries during the same period were also engaged in making Conventions with one another.

This increase of treaties as a sign of a great movement was indeed auspicious; but as each Convention had to be considered, not only with reference to the two countries in negotiation, but, in many cases, with reference also to other countries which had previous Conventions with one or other of the contracting parties, confusion with regard to the interpretation and limitation of the author's rights was bound to arise. The result of these many Conventions was "indefinite heterogeneity."

To give some idea of their number and extent, it should be stated that between 1846 and 1886 Great Britain entered into fifteen. Between 1840 and 1887 France entered into twenty-nine, and the Conventions entered into by other countries were as follows: The German Empire (the German States had signed many prior to the creation of the Empire in 1871), 6; Belgium, 6; Bolivia, 6; Ecuador, 1; Spain, 7; Italy, 10; Luxembourg, 2; Mexico, 1; Holland, 3; Portugal, 4; Russia, 2; Salvador, 1; Sweden and Norway, 2; Switzerland, 5.

It is quite clear, therefore, from this statement that the source of international complication might become perennial as far as

copyright protection was concerned, and the legal questions unsolvable. In order to meet the difficulty, the Swiss Government called an International Convention at Bern, on the 10th of September, 1884. The programme proposed by the Swiss Federal Council was exceedingly wide in scope, and contained suggestions of an International Agreement on an ample basis. But its ideals were too lofty, and many of the proposals were cut down in the final settlement of the question in 1886.

The Bern Convention, as it has been called, is an international treaty to which at the present date all the great civilized countries, with the exception of Austria-Hungary and the United States, have given their assent. Under its terms, any nation that joins the Union obtains protection for the works of its citizens in all other countries which have become signatories to the Convention. How wide this protection is, is clear from the list of the adherents; how wide is the property embraced is clear from Article 4, where the definition of the expression "Literary and Artistic Works" covers the following:

"Books, pamphlets, and all other writings; dramatic or dramatico-musical works, musical compositions with or without words; works of design, painting, sculpture, and engraving; lithographs, illustrations, geographical charts; plans, sketches, and plastic works relative to geography, topography, architecture, or science in general; in fact, every production whatsoever in the literary, scientific, or artistic domain, which can be published by any mode of expression, or reproduction."

The enjoyment of these rights, however, cannot exist in other countries for a longer period than the term of protection granted in the country of origin.

In addition, under Article 5 protection is given to translations of these works for a period of ten years.

This was an enormous advance in the recognition of intellectual property, but it is to be regretted that the United States were not represented at the meeting at Bern, nor have they thought fit to join the Union since its formation.

To all those who have studied the expansion of literary property and the laws which bear on that property, it is quite clear that the literature of a country will increase in proportion to the measure of protection that is given to its authors. To a commercial mind like that of the United States, it should have been

evident that the writer who could find a market not only in that country, but in the British Empire and in other countries of Europe, would be much more likely to adopt authorship as a profession, than the writer who had his market limited by the territory of his own country.

Although, however, the United States did not join the Convention, an Act was passed in 1891 which secured for its citizens a market in other countries. One of the Clauses of this Act runs as follows:

"That this Act shall only apply to a citizen or subject of a foreign state or nation, when such foreign state or nation permits to citizens of the United States of America the benefit of copyright on substantially the same basis as its own citizens; or when such foreign state or nation is a party to an international agreement which provides for reciprocity in the granting of copyright, by the terms of which agreement the United States of America may at its pleasure become a party to such an agreement. The existence of either of the conditions aforesaid shall be determined by the President of the United States by proclamation made, from time to time, as the purposes of this Act may require."

Before the passing of this Act, there were, no doubt, some half a dozen to a dozen American authors whose names were known all over the world; but, owing to the lack of international reciprocity, the United States had starved its own literature, and the public had fattened on the literature of other countries. This policy, bringing forward, as it did, by cheap printing and piracy the keenest competition in the trade, caused the publishers who spent their capital with unsparing hand, the authors whose property was involved and the intellectual minority to bring strong pressure on the Government and the Act above referred to accordingly became law.

What has been the result?

In spite of Mr. W. D. Howells's assertion to the contrary in the Christmas number of "Harper's Magazine," the names of United States authors known over Europe have increased at least fivefold, and the number of authors and those who are living by the profession of writing in the United States must have increased at least tenfold.

No sooner was the Act of 1891 passed than the President of the United States proceeded, under the rights conferred on him by the Act, to make the necessary proclamation, and in due time

the United States were linked with the majority of civilized nations by a copyright arrangement.

Great Britain accepted the conditions, judging that half a loaf was better than no bread, and that it was better to get some protection—limited, though it was, by the restraints of simultaneous publication and typesetting in the United States—than to suffer a continuance of literary piracy. As far as Great Britain was concerned, however, there was no real reciprocity. It is, perhaps, unnecessary to draw attention to the fact that the authors of the United States benefited to a much larger extent than did British authors, as the former were handicapped only by the comparatively harmless essential of simultaneous publication.

That such was the case soon became clear; for, after the law had been in force ten years, there was a large and increasing number of writers in the United States whose works were read and copyrighted in Great Britain, whereas the number of British authors whose works were read in the United States, diminishing gradually from the days of piracy, resolved themselves into that select band whose works were sure of a commercial success on the day of publication. It is evident, however, that the United States Government, owing to the pressure brought to bear by the printing and other trades at the time of the passing of the law, robbed many of their own citizens of property they would otherwise have acquired, and the United States trade did not obtain the advantage which it considered certain to accrue, as many of the works which are now shipped over in sheets would, in the fulness of time, have been produced by United States printers and binders, if simultaneous publication had not been essential.

The same argument applies, of course, to nations whose citizens do not write in the English language, such as France, Italy, Spain, Germany, etc.; but they labor under a further disadvantage. It is this: The United States publisher does not care to set up for simultaneous publication a work in the original—that is, in French, Italian, Spanish, German and other languages—and the authors of those countries cannot, save in very exceptional circumstances, take upon themselves the expense and labor of translating their works, before publication in the country of origin, in order to meet the wishes of the publishers and obtain simultaneous publication in the United States. In consequence, the Act which has been of some slight benefit to Great Britain,

her Colonies and Dependencies, was practically useless to other foreign countries.

The German authors, after watching the working of the arrangement for a period of ten years from the first passing of the Act, perceiving the enormous advantage and market obtained by the United States for its authors—typesetting was not essential for citizens of the United States—and the absence of any advantage whatever to the Germans, raised a cry against this inequality, and in conjunction with the trade petitioned their Government to withdraw from the United States treaty. Up to the present, however, no official action has been taken, chiefly owing to the energy of Mr. George Haven Putnam, who personally met the representatives of the centres of disaffection and persuaded them for the time not to push the matter further.

In the mean time, another effort was made by the well-wishers of fair dealing and intellectual enlightenment to get the Government of the United States to amend the existing Act in order to set the two contracting parties on a level. As it is possible that the text of the Amendment may not be universally known to the United States public, we need not apologize for quoting it in full.

"*An Act to Amend Section Forty-nine Hundred and Fifty-two of the Revised Statutes.*

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that Section Forty-nine Hundred and Fifty-two of the Revised Statutes be, and the same is hereby, amended so as to read as follows:

"'Sec. 4952. The author, inventor, designer, or proprietor of any book, map, chart, dramatic or musical composition, engraving, cut, print, or photograph, or negative thereof, or of a painting, drawing, chromo, statue, statuary, and of medals or designs intended to be perfected as works of the fine arts, and the executors, administrators, or assigns of any such person, shall, upon complying with the provisions of this chapter, have the sole liberty of printing, reprinting, publishing, completing, copying, executing, finishing, and vending the same; and, in the case of a dramatic composition, of publicly performing or representing it, or causing it to be performed or represented by others. And authors or their assigns shall have exclusive right to dramatize or translate any of their works for which copyright shall have been obtained under the laws of the United States.

"'Whenever the author or proprietor of a book in a foreign language, which shall be published in a foreign country, before the day of publication in this country, or his executors, administrators, or assigns, shall, within twelve months after the first publication of such book in a

foreign country, obtain a copyright for a translation of such book in the English language, which shall be the first copyright in this country for a translation of such book, he and they shall have, during the term of such copyright, the sole liberty of printing, reprinting, publishing, vending, translating, and dramatizing the said book, and, in the case of a dramatic composition, of publicly performing the same, or of causing it to be performed or represented by others: Provided, That this Act shall only apply to a citizen or subject of a foreign state or nation when such foreign state or nation permits to citizens of the United States of America the ~~benefit of copyright on the same basis as is given to its citizens by this Act~~ *benefit of copyright on substantially the same basis as to its own citizens.*'"

This Bill passed the House of Representatives on December 14th, 1904.

It had already, in the early part of 1904, been before the House of Representatives, but had been withdrawn.

No sooner was it apparent that there was a good chance that the Bill would pass into law than an outcry was raised, in the columns of the London "Standard," by British authors who felt hurt and disappointed that the United States Government should give a larger scope and better terms to foreign nations than to writers in the English language. The outcry was supported by the names of some of the best authors in England. To show how general was the feeling it may be as well to quote in full the list of those who contributed to the correspondence: Right Hon. Lord Avebury, Robert Barr, Guy Boothby, Mrs. Mary Blundell, Mrs. Caffyn ("Iota"), Hall Caine, Mrs. W. K. Clifford, L. Cope Cornford, J. Beattie Crozier, Miss Sarah Doudney, Sir Arthur Doyle, Miss Ella Hepworth Dixon, Theodore Watts Dunton, G. Manville Fenn, Maxwell Gray, Edmund Gosse, Anstey Guthrie (F. Anstey), H. Rider Haggard, St. John Hankin, Miss Beatrice Harraden, Frederic Harrison, The Rev. Silas K. Hocking, Mrs. Humphreys ("Rita"), C. J. Cutcliffe Hyne, W. W. Jacobs, Andrew Lang, Henry Lucy, W. H. Mallock, Frank Mathew, Right Hon. Sir Herbert Maxwell, Bart., Mrs. L. T. Meade, F. Frankfort Moore, Sir Lewis Morris, Arthur Morrison, Eden Phillpotts, Mrs. Campbell Praed, R. E. Prothero, Mrs. Stepney Rawson, Miss May Sinclair, G. Bernard Shaw, Douglas Sladen, J. A. Steuart, F. Stroud, Alfred Sutro, Benj. Swift, Arthur Symons, H. A. Vachell, Stanley J. Weyman, Richard Whiteing, J. H. Yoxall.

Lastly, the Committee of the Society of Authors of Great Britain, representing some 1,500 members, decided to take the matter up and consider the best course to be adopted.

The opinions set out by the writers whose names have been given cannot, or rather ought not to, pass disregarded.

The writers are unanimous on one point, that the present state of the law is unfair to the Britisher, but they have different methods of expression.

Many demand retaliation in order to obtain a real reciprocity. Others, in equal numbers, desire an appeal on the basis of simple justice. Again, the ancient dispute of Free Trade and Protection is dragged in; while one asserts that this is the real issue, others assert that it has nothing to do with it. The latter would appear to be the sounder opinion.

"The question of Free Trade *versus* Protection has nothing to do with the value of copyright," says Mr. Bernard Shaw; and again, "Let America give up her present childish arrangement and join the Convention (Bern). The steps, if any, to be taken to protect American and English printers from foreign competition are a separate matter."

Lord Avebury says: "What he (the originator of the correspondence) asks does not seem to me in any way a case of 'protection' in the technical sense."

Some consider that the simplest solution would be for the States to join the Bern Convention, whereas the majority would be content, for the present, with the twelve months' limit—and to be treated on a basis of equality with the foreigner.

Mr. Frank Mathew facetiously remarks: "It is a misfortune that our language is not quite foreign to them (the Americans). Perhaps they might be induced to allow us the privilege of foreigners."

All those who have studied the question know the warm support this contention receives from the intelligent judgment of the authors, the trade, and those interested in intellectual development and literary questions. They are in favor of a fairer reciprocity not only with Great Britain, but with all other countries; yet there are certain of the citizens of the United States so filled with the idea of Protection, and there are certain trades so blinded with the same idea, that they are bitterly opposed to anything which would be likely to savor of the opposite policy.

Consider seriously, again, this fact—that, the wider the market which is given to any country, the greater will be the national literature that is produced. It follows, then, that, so far from losing, the United States will gain considerably by a change in their copyright law. The same argument will apply to the United States trades, which would not lose, but would, most probably, gain an immense amount of trade in printing and binding by giving their authors a larger scope, and the work of foreign authors greater freedom.

There is justice at the back of the British demand, as there is at the back of the claim of foreign nations. There is in addition a feeling of something more than pique that the English race should have been omitted from the proposed Amendment.

To join the Bern Convention is not difficult. To amend the Amendment is simplicity itself.

The main deduction that we would desire all citizens of the United States who are interested in the question to draw is, that all those nations whose tongue is not their tongue, enjoying—or, better, failing to enjoy—the advantages of the law, as it is, are openly and aggressively dissatisfied with it, while those who write in the English tongue, if not aggressively opposed, are passively resistant. We cannot imagine that any intelligent and cultivated citizen can sit down in smug contentment under this stigma, or chuckle to himself on a smart business deal. The protection of literature and art should be looked at from a higher standpoint, and even a commercial nation must rise to higher ideals.

It is useless, again, for the United States to say in excuse, "Oh, but no copyright law is perfect!" That is not the point; it is an issue outside the present argument. For a question of international equity should be taken from the level of mere party bickering to the level of political ethics.

It is not, again, as if there were any real difficulty in settling the question, for other nations did the yeoman service in 1886 and made the rough places smooth.

The Bern Convention awaits another adherent. The Parliament of Nations will greet the new member with cheers when he comes forward to take the oath of fellowship.

G. HERBERT THRING.

REFORM IN THE ROMAN CATHOLIC CHURCH.

BY THE REV. C. A. BRIGGS, D.D., D. LITT., PROFESSOR OF BIBLICAL THEOLOGY IN UNION THEOLOGICAL SEMINARY.

MANY attempts have been made at reform in the Roman Catholic Church. Some of these have succeeded in part, others have failed. From a Protestant point of view, all these efforts have accomplished but little; the Roman Catholic Church remains essentially an unreformed Church. But history makes it evident that the ordinary Protestant opinion is erroneous. In fact, Protestantism has advanced so far beyond its original position that, even if all the reforms demanded by the original Protestant Reformers had been accomplished, the Protestants of the present day would still regard the Roman Catholic Church as unreformed. The history of that Church since the sixteenth century has been a history of reforms, and in no period have such great reforms been made as in the past half-century.

Leo XIII was certainly a reforming Pope; of a high moral character, a man of letters and of profound knowledge, firm in purpose but patient in spirit, broad-minded and tolerant, he left the Church, when he died, morally and intellectually much higher than when he succeeded Pius IX. But the present Pope, Pius X, promises to be a still greater reformer. He has already accomplished much in the few months of his pontificate; great reforms are in his mind, which ere long will become evident in fact.

Reforms in the Roman Catholic Church have usually begun in France or Germany, and have been resisted in Italy, and especially in Rome. Many reforming Popes have failed in their noble purposes owing to the stubborn opposition of the Roman Curia, whose interests were all in the perpetuation of their authority and privileges. The significance of the present movement

is not only in the fact that the Pope himself is a reformer; but still more in that reform has begun in Italy, and most of all in Rome, and is promoted by members of the Curia itself.

A few weeks ago, there appeared a pamphlet, "*Pio X, Suoi Atti e Suoi Intendimenti.*" This was at once translated into French and German, and in all editions sold in many thousands so rapidly that it has been difficult to supply the demand. It was soon followed by another entitled, "*Questioni Politico-Religiose, dopo gli Atti ed Intendimenti di Pio X,*" which in some respects is a much stronger plea for reform. Another tract on the side of reform is "*Fiat Pax,*" which proposes that the Pope shall remove to Jerusalem, and make there the seat of his civil authority. The most recent pamphlet is entitled, "*Riforma! Nota Critico-Polemiche di un Sacerdote Romano.*" It reviews with keen criticism all the previous pamphlets, and advances the cause of reform, especially in the education of the clergy. As was to be expected, several replies have been made, the only important one, representing the party of privilege and obstruction, being that of the journal "*La Vera Roma,*" entitled, "*Il Papa è il Papa.*" Doubtless, a flood of controversial literature will burst forth from the press, now that the gates are open.

There can be no doubt that the Pope himself is at the head of the reform movement; but it would be improper to hold him responsible for all that these reforming pamphlets propose.

It is of great importance to understand the fundamental principle of reform in the words of the Pope himself, namely, "*Restaurare ogni cosa in Cristo,*" to make Jesus Christ Himself the centre and mainspring of all reform. This is exactly what the most enlightened Protestants desire for their own Churches; what more can they ask for the Church of Rome? The Christological movement has been, and still is, one of the strongest impulses of the past fifty years. It is of immense significance that the Roman Catholic Church, under the headship of the Pope, deliberately enters into, and takes part in, this world-wide movement. It is a common objection of Protestants to the Roman Catholic Church that it pushes Jesus Christ into the background, and that the popular religion is the worship of the Virgin and the Saints. This objection is not altogether valid; for the sacrifice of the Mass is the great central fact in the worship of the Church, where Jesus Christ Himself, in real, substantial bodily

presence, reigns supreme, and is worshipped as God and Saviour. But it has been true in the Roman Catholic Church, as in the Protestant Churches, until recent years, and among Protestant theologians at the present time, that Jesus Christ has not held the central and dominant place in Christian doctrine and Christian life that is His due. The more advanced Protestant scholars have been working for half a century and more to lead Christians back to Jesus Christ, and have only partially succeeded. If now the Pope, as the head of the Roman Catholic Church, owing to the reverence and obedience given him by that whole Church as the successor of St. Peter and the living representative of our Lord, can succeed in raising up Catholics throughout the world to this exalted position of reforming everything in Christ, there will be ere long the greatest revival and reformation known to history, and the Protestant Churches will have to bestir themselves to keep pace with it.

The Pope has spent the greater part of his life as a Christian pastor, parish priest, bishop and patriarch of Venice; in each position honored for his piety and wisdom, and beloved for his gentleness, kindness and manifold acts of Christian love. There seems to be good evidence that he was chosen by the Cardinals because of these well-known virtues. The Church felt the need of a pious pastor more than anything else. Immediately on taking his position, Pius X acted as pastor, and began his reform in the sphere of religion. A great change is manifest in Rome. Some years ago, it was the common remark, how irreverent the priests, bishops, and especially the canons were, even in the solemn ceremonies of the Mass. American, English and German Catholics were as much shocked at this state of things as Protestants. The music in the principal churches was too ornate—better suited to a concert-hall or opera than a Christian church. All this has been changed. The services are reverent, the music is solemn and stately, and the ceremonies of the Catholic religion exhibit their grandeur and impressiveness. The applause and cries, "*Il papa re,*" grateful to Pius IX, and allowed by Leo XIII on grand occasions, when they appeared in St. Peter's, have been entirely suppressed. Nothing could be more impressive, during the solemn ceremonies of the Beatifications last autumn, than to see the Pope himself by a motion of his hand and a stern glance suppress the applause that his presence invoked from pilgrims.

The Pope has done his very best during the few months of his pontificate to promote spirituality in the Church. He has himself set the example of preaching practical sermons, and thereby lifted the sermon to a new importance in Rome. He is determined to remove incompetent and worldly bishops, and to appoint men of a higher spiritual character to the vacant sees.

It is, indeed, this firm purpose of removing unworthy bishops that brought the Papacy into conflict with the French Government. There may be a question whether or not the Pope violated the Concordat; but there ought to be no question that the Pope was within his rights, as the chief pastor of the Church, when he undertook to call to account and to discipline bishops who were, by common report and by frequent complaints to Rome, unworthy of their sacred office. It is, indeed, just this that makes the struggle between the Church and the State so serious in France, that the Pope stands for the revival of spiritual religion in the French Church, and it is not at all a question of the Papal prerogative. It is difficult to see how the State can hope to win in such a warfare, when the Church is prepared to sacrifice all its property and civil rights, and to suffer persecution in defence of what Scotch Presbyterians, in a similar situation, called "the crown rights of Jesus Christ."

It is noteworthy that, in this reform movement, little if anything is said of Christian dogma. Many, both Protestants and Roman Catholics, think that dogma is the principal thing, that differences in dogma are the most important, and that reform in dogma should come first. A more thorough study of the sixteenth century makes it evident to historians that the division of the Western Church at the Reformation was not due so much to dogma as is commonly supposed. There were important dogmatic differences, which came into greater prominence after the separation had already taken place. But the princes and people who made the Reformation made it, not in the interest of dogma, but in the interest of freedom from the tyranny of Rome, and of the rights of the nations; and hence the immediate result was national religions, State Churches, all over the Protestant world, repudiating the supremacy of Rome. The most serious evils were —just what is evident in Russia to-day—autocracy, bureaucracy and the intrusion of the Curia into civil affairs.

As the Roman Curia refused to reform itself in these matters,

the nations of Northern Europe took reform into their own hands, and, by separating from Rome, delivered themselves once for all from these evils so far as Rome was concerned, although each nation had to battle its own way to freedom against these same evils in the kings and princes who became little popes, in some respects worse than the Pope himself.

So far as dogma is concerned, the original Reformers repudiated the corrupt and hair-splitting Scholasticism of the fifteenth century, and fell back upon the Bible interpreted by Augustine and Jerome. All the original Reformers were high Augustinians, and they charged the Roman Catholic theologians with Semi-Pelagianism. They also fell back on Anselm's doctrine of the Atonement. It is a common error that they made the Scriptures alone their Rule of Faith. A more thorough study of the Bible has shown that the Reformers were, all of them, greatly mistaken in their interpretations. Protestant theology has, for the most part, abandoned the high Augustinianism of the Reformers. There are few high Augustinians in Europe; and in America they are not to be found, except in a few Theological Seminaries, and among their pupils. The common doctrine of the present Protestant theologians would not be recognized by any of the Reformers. The dogmatic differences with Rome either no longer really exist or are in different forms, and concerned with different questions.

In the mean while, the Roman Catholic Church has not remained stationary. The Council of Trent was a reforming council, and banished from the Church many vulgar errors and corrupt practices, against which the Reformers protested in the sixteenth century. The Roman Catholic Church has made, in recent years, two important dogmatic decisions—namely, the Immaculate Conception of the Virgin, and the Infallibility of the Pope in faith and morals, when he speaks *ex cathedra* to the Catholic world. These were not new dogmas, but final decisions of mooted questions; the former deciding the contest between Franciscans and Dominicans; the latter defining the seat of the infallibility of the Church as being in the Papacy, rather than in Councils. The former decision was universally accepted in the Roman Catholic Church, and there are many Protestant theologians who think it an inevitable consequence of the doctrine of original sin. The latter was rejected by a small number of

eminent scholars, who organized themselves as a separate body, called "Old Catholics," but they succeeded in detaching only a very small number of people from the Mother Church. Indeed, it was a purely academic question, whether infallibility is to be lodged in the Council or in the Pope. Many found it easier to believe in the infallibility of one official person, the head of the Church, than in the infallibility of a Council composed of a number of men moved by party interests and personal considerations, and whose decisions are made by a majority of votes, rather than by the most competent and intelligent voices. The Infallibility of the Pope, as defined by the Vatican Council, limits infallibility, and so hedges it with conditions that infallible decisions in the past are hard to find, and not likely to occur in the future except in great emergencies. The only infallible decision of a Pope in modern times, apart from a Council, has been that defining the Immaculate Conception. This is the consensus of opinion in Rome, and it is the decision of the Pope himself.

The Roman Catholic Church made a very important reform in dogma when Leo XIII directed that Thomas Aquinas should be used as the standard authority in all Roman Catholic colleges and seminaries, for thereby Theology was divested of the accretions of the so-called newer Scholasticism since the Reformation, and of the corrupt Scholasticism of the fourteenth and fifteenth centuries; and Roman Catholic dogma was built upon the purest and best Scholasticism of Thomas Aquinas and his contemporary Bonaventura. This was a reform in dogma of incalculable importance. It is doubtful, to say the least, if there would have been such an antithesis between Protestant and Roman Catholic dogma if Thomas Aquinas had been the universal standard of doctrine in the sixteenth century.

The reforms proposed at the present time—apart from the religious reforms already considered—are ecclesiastical; and, first of all, of Canon Law, which, as interpreted by the Curia, determines all ecclesiastical affairs. Canon Law is an ocean so vast in extent, that it demands more time and attention to master it than all other branches of Christian Theology combined. Few are able even to swim in it. It is a heterogeneous mass of material, representing many centuries of legal development under the most varied circumstances, and capable of varied interpretations. An able Committee has already been appointed to reduce

this material to a code of Ecclesiastical Law that will be rid of antiquated material, and be adapted to the present circumstances and conditions of the Church.

Next in importance to the reform of the Canon Law is the reform of the Curia, which interprets and applies the Canon Law in the government of the Church. The Curia is composed of a number of Congregations or Committees, among which are distributed all the interests of the Church. The members of these Congregations are Cardinals, Monsignori, members of religious orders, and occasionally other prelates and priests. These constitute the Papal family or court, and are the practical rulers of the Church; for, although everything of importance has to be approved by the Pope, yet it is impracticable for him to give personal attention to any but the most essential matters.

The decisions of these Congregations, even when approved by the Pope, are not infallible; yet they demand implicit obedience of all Catholics, even those of the highest rank. It is the interest of these Congregations to keep all power in their own hands; and, therefore, the Curia retains the power in the appointment of all bishops throughout the world; it deprives the bishops of their ancient rights of deciding important questions, and reserves to itself the determination of them. When one considers that a majority of the members of the Congregations are not only Italians but Romans, trained in the traditions of the Roman Curia, which is to a great extent self-perpetuating, and that few of them have much knowledge of the world outside of Italy, it is easy to see that all questions throughout the Roman Catholic world are determined from a Roman point of view, and in Roman interests. In civil affairs, Italians and Romans in modern times have not shown any remarkable ability. And yet these Romans think that they have the ability and genius to govern the Church throughout the world, and to govern it with absolute authority, demanding unquestioning obedience. As these reforming pamphlets most clearly show, these Congregations are antiquated in their formation and methods, heterogeneous in their membership, and torpid and inefficient in their action. When their members are carefully examined, it is often difficult to determine on what principle they have been selected, or what real qualifications they have for the all-important tasks brought before them. Not infrequently the same matter goes before two or three different Con-

gregations, and it is said that even the Pope sometimes finds it impossible to fix responsibility for important decisions brought before him for his approval.

When one compares the Curia of Rome with the officials of the great modern States, it is in Russia alone that any such bureaucracy can be found.

How far a reconstruction of the Congregations may be carried out, it is impossible to say. Doubtless, there will be strong resistance against any effort to change traditional methods; but that changes will be made seems to be evident.

More to be desired than these formal changes in the Curia are the material ones. The Curia has for centuries employed usurped powers, and indeed in a tyrannic way. There is authority in Holy Scripture for a ministry of priests and deacons. There is authority in the ancient Church for bishops, parochial, diocesan and provincial, and even for the Pope, in the judgment of many historians. But the Roman Curia rests upon no other authority than that of the Popes. The members of the Curia have, strictly speaking, no ecclesiastical rights. They are simply officers of the Pope, and might be laymen. The reform that is needed above all is to put these officials into their proper place as servants of the Pope, and deprive them altogether of their usurped powers over the bishops of the Church. The officials of the Pope should be, like those of the best modern States, responsible servants, and not, like the Russian bureaucrats, irresponsible autocrats.

These Roman officials have long taken to themselves the highest honors of the Church. They no longer, as non-residents, hold the most lucrative positions all over the Roman Catholic world, as they did at the time of the Protestant Reformation. They no longer prey upon the whole Church by all kinds of imposts, fines and exactions, as they then did. They live in simple and comparatively inexpensive households at the present time. But it is probable, as these reforming pamphlets intimate, that there never was a time when titles of honor were so widely distributed. It now seems to be the exception that any of the officials, unless the members of monastic orders, should be without one. Pius IX delighted in ceremonies and in show. Leo XIII, though more literary in his tastes, was not ill-disposed towards grandeur. All this tended to increase the number of titled members of the

Roman court. But Pius X is more simple-minded and seems to dislike unnecessary display. It is probable, therefore, that there will be a reform of the Papal court in this respect, and that hereafter honors will be more carefully bestowed. As has already been stated, the chief obstacles to reform at the Protestant Reformation were autocracy, bureaucracy and the intrusion of the Curia into civil affairs. The historical development of the modern States has gradually removed the worst of these evils, in spite of the Curia, by making them impossible. It would be unfair, however, not to recognize that a gradual and very important series of reforms have taken place in the Roman court itself. The autocracy of the Pope, while recognized in principle, is really much limited in fact; for, while in one sense the Pope cannot be said to be a constitutional monarch, in another sense he is; because, though he may under certain unusual circumstances make an infallible decision in faith and morals, he may not make any decision which contravenes any made by Popes and Councils in the past. The Pope and the Congregations are also limited by the Canon Law, which, while it needs reform, yet still, until reformed, determines all decisions. There is, however, still room for autocracy to be exercised in a most despotic way. There is little danger of it with the present Pope, but there was constant peril under Pius IX, and there may be under future Popes. It is difficult for American Protestants to understand why the Pope does not strengthen himself by summoning Christian Councils to meet at Rome at regular intervals. The entire Church needs representation at Rome, and ought to have it in regular assemblies of its chief representatives. This is much discussed in Rome, as elsewhere. Many objections are made from a practical point of view, but none of them seems to be valid. The Curia has always opposed Christian Councils, because they inevitably reduce the importance of these officials. But the Pope would find them a most valuable help in enabling him to reform the Curia and reduce it to its proper dimensions.

The intrusion of the Curia into civil affairs, which was the chief occasion of the Protestant Reformation, has been rendered more and more impossible by the Providence of God in History. The Protestant States refused the authority of the Curia altogether. The Catholic States won for themselves protection from its exactions by Concordats, or agreements, between the Pope and the

monarchs. The civil State of the Pope, after centuries of conflict, has been taken from him once for all. It not only stood in the way of the Unity of Italy, but was also a constant temptation to sacrifice the interest of the Church, and the interest of other nations to that of the States of the Church. The only temporal power that the Pope can ever expect to have, is either a limited territory about the Vatican, like our District of Columbia, or a guarantee of independence of himself and his officials from civil control by Italy and the other Powers. It is folly to suppose that the Pope could ever establish himself permanently in Jerusalem, or on the Island of Malta, or anywhere else than in Rome.

The only difficulties that modern States have to contend with, so far as the claims of Rome are concerned, are in mixed questions which partly belong to the jurisdiction of the Church, and partly to the jurisdiction of the State, such as religious education, marriage and divorce. Neither Church nor State can yield its jurisdiction. The only solution that is possible is by friendly agreement. The practical difficulty is now, as it always has been, that the Roman Curia insists upon retaining the decisions of such questions in its own hands. The modern States are willing and desirous to determine these questions in accordance with the religious convictions of their own citizens, so far as these can be brought to agreement; but they are not willing, and will surely continue to decline, to negotiate with the Roman Curia, a foreign court, as regards questions of domestic interest. It is necessary that the Roman Curia should intrust all such questions to the Catholic bishops of the different countries, and suffer the bishops to adjust them in accordance with the special circumstances and conditions of their own nations.

It is too much to expect that all the difficult problems of reform will be solved at once. It will, doubtless, take years, and possibly generations. The path of reform may in many respects be different from that suggested in this article, and will probably be much better than any that has been proposed. It is, however, of the highest importance that the reform movement has been renewed with so much promise under a Pope of such spirituality, simplicity and open-mindedness; a man who impresses those admitted to his presence and converse as being possessed of unusual grasp of mind, insight and real moral power.

CHARLES AUGUSTUS BRIGGS.

POLAND TO-DAY.

BY ROBERT ATTER.

POLAND presents to-day a distressing picture of chaos and disorder. The general disorganization in Russia is reflected here, intensified by the multifarious complexities of Polish national and patriotic questions. There seems to be a general bankruptcy of common sense. The governing authorities have completely lost their heads, capital has capitulated to labor, and Jews and Socialists appear to be at the head of affairs. Where it will all end, nobody knows. But the more thoughtful Poles fear that, whatever the outcome of the constitutional agitation in Russia, it is unlikely that their country will reap substantial gain.

Probably no country in Europe to-day affords a more interesting spectacle than the once great and powerful kingdom of Poland. Certainly no country presents more riddles, more paradoxes, more party divisions, more diversity of national character, more general and special complexities and complications than this one. It has been so from the beginning of her history. She was, at one and the same time, the most liberal nation and the most despotic, the most cultured and the most illiterate, the richest in patriots and in traitors, in great men and mean men.

Long before England had left off pulling out Jewish teeth, Poland tolerated the Hebrew. When England was torn by religious persecutions, Poland not only gave shelter to those who fled from the stormy times of Mary and Elizabeth, but treated them as her own sons. Their descendants have become Poles, but still retain traces of their English origin.

And yet Poland bought and sold slaves, long after England had decreed that every man born on British soil was free. Poland had a republican form of government with an elected King, and a Diet, yet one favorite's voice could turn the balance, and make

light of the nation's will. Poland welcomed the Renaissance as no country in Europe welcomed it. While Erasmus was trying to make Englishmen learn Latin, every free-born Pole spoke and loved that tongue. A Polish monk, Copernicus, paved the way for Newton.

To-day ninety per cent. of the peasants, who form the bulk of Poland's population, can neither read nor write. The student puts politics before his text-books, and the rural clergy are little better than the farm laborers from whom they spring. Poland's sons have ever been of the essence of patriotism. They have frozen in Siberian snows, and become blind in Siberian mines, for love of country. Yet there were those among them who sold the nation's birthright for Russian gold, or Russian titles. They put their land under the yoke of a people steeped in barbarism long centuries after Poland had enjoyed the culture of civilization. These spoiled her museums, burned her libraries, turned her palaces into shambles, razed her manors to the ground, and did everything they could to stamp out the culture which they were too ignorant to understand, and could only envy.

But, after a hundred years of slavery, after four generations of brutal repression, Polish culture still holds its own among the Slav nations. And not amongst them alone. Polish names stand high in the world's list of great men, musicians and painters, men of letters and men of science. As a nation, the Poles are broad-minded, intelligent and gifted, and still with all their gifts they are probably the most unhappy people in Europe. For they are under the yoke of the most corrupt government in the world. They are without friends among the nations. Their land has been partitioned and repartitioned by various Powers, whilst the world looked on with indifference, or used Poland's misfortunes to further its own selfish ends.

Now, what is the cause of Poland's misfortune? What is that radical fault in the national character which has left the nation bereft of all but memories? The answer is simple. Lack of solidarity. With all their high intelligence and rare mental gifts, the Poles never understood the real meaning of the word "politics." They never knew what it meant to present an unbroken front abroad, and to preserve a nice balance of power at home. With regret must it not also be said that too often they have not kept faith with one another? Bismarck once cynically

remarked: "When two Poles meet, there are two conspirators, with a traitor thrown in."

Such a nation must come to grief, and, moreover, can never reestablish its independence until it has learned the bitter lesson which centuries of misfortune have so far failed to teach. Whether Poland will ever learn it is a matter of speculation, and the turn events have recently taken leaves room for grave doubts. In fact, there are those who, knowing the country well, foresee a new revolution, a revolution of Pole against Pole, peasant against squire, and the Hebrew against them all.

Nine-tenths of the population of Poland is made up of the lower classes. Of the remainder, nine-tenths belong to the professional classes, and the other ten per cent., or one per cent. of the whole population, form the aristocracy. The bulk of these, who are large landowners, usually hold aloof from politics, except when they urge a conciliatory policy towards Russia. On the one hand, they are fearful of losing their estates by Russian confiscation, and, on the other hand, they have long realized that there is no hope of reestablishing an independent Polish Kingdom.

The Polish aristocracy is not exactly a model class. Many years of Russian oppression seem to have destroyed their capacity for either good or evil. The young have lost ambition and even the capacity for enjoyment. The men have grown effeminate and the women trivial. Both prefer to spend their time and money abroad, where nothing reminds them of the restrictions they have not the power to throw off, and are fast losing the energy to hate. They have, in a word, grown used to bondage.

Nevertheless, a party, never popular and now abhorred, sprang from this class in 1897. It is called "Ugodovcy," a word meaning Conciliation. Its object was to bring about a more friendly feeling between the Poles and the Russians, in the hope of obtaining certain reforms and concessions from the imperial government at St. Petersburg. Such a party was, however, doomed from its birth. The patriots looked upon the "Conciliatories" as little better than traitors, whilst the Socialists and Democrats hated them because of their rank. It is only fair to say that many honorable names were on their list of members; notably Sienkiewicz, the distinguished author of "*Quo Vadis*," who, however, has long since left them.

The party struck its own death-blow last autumn, by sending

a memorial to Prince Mirski, then Russian Minister of the Interior, couched in sycophantic language, denouncing its patriotic countrymen, and describing the time as the most fitting for cementing friendship between Pole and Russian. As this document was signed by only twenty-three members of the Conciliatory party, it could scarcely be regarded as a very representative national manifesto. Its publication, nevertheless, aroused such popular indignation that many of the signatories have since tried to disassociate themselves from the memorial. To-day the "Ugodovcy" has practically lost any little influence it ever had. For, although the average well-to-do Pole no longer believes in revolution, he has no friendly feelings for the Russians.

The professional classes, the so-called "intellectuals," probably may be divided best into two classes, Socialists and Patriots, or the National Polish League. The relative strength and positions of the various Polish parties have recently undergone radical changes, and to-day the Socialists have certainly become the most powerful and the most prominent. Their programme, as drawn up at the recent Barristers' Congress in St. Petersburg, is a sufficiently comprehensive one. It includes the organization of a huge propaganda in Russia, with the view of developing the political education of the nation; the employment of active force against arbitrary administration; and preparation for a revolution.

Probably ninety per cent. of the Jews, students, lawyers, doctors and literary men in Poland, are now joined to the Socialists. While many of them call themselves Patriots, they are in the closest touch with the Russian Socialists. The responsibility for the peasant agitation and the school strike rests upon them.

The second party, the Patriots or "Reds," are simply aghast at the turn affairs have taken, and are trying in vain to stem the tide of Socialism, by issuing proclamations urging everybody to keep the peace. The small landowners, who are very numerous, belong to this party, and form really the patriotic nucleus in the country, holding aloof from the Russians, and keeping up their old Polish traditions as well as present conditions permit. These "squireens" are the backbone of the Polish nation, and, if the Socialists had not got hold of the peasants, could have done much in keeping things together.

No proper estimate of the forces at work in Poland at the present time can be formed without taking into account the Jews.

They constitute, perhaps, the most important party in Polish politics. There are two classes of Jews, the Orthodox, and those who have left their ancient faith and have been baptized. Part of these latter belong to the Patriotic party, and part are neutral, the majority apparently preferring to await the development of events. But the Jews proper make up a power which has to be reckoned with. They are the backbone of the Socialist movement, which is behind all the present agitation. The "Bund," as the organization of Jewish Socialists is called, is the strongest, wealthiest and most influential of all these societies. It is generally believed to include most of what may be termed the "bomb-throwing" element, or party of violence, and its preference for such methods, coupled with the strong position it has attained, causes much anxiety among the old patriots, who see nothing but destruction ahead if Socialism gains more ground.

The predominant rôle which the "Bund," aided by the Russian revolutionaries, is playing, especially in the perpetration of deeds of violence, is beginning to arouse the indignation of the Poles, who assert that, as a nation, they are peaceably disposed, and averse to wanton bloodshed. They do not relish the "bomb" methods, feeling that such a course can only result in ultimate harm to their national cause. Hence a distinct anti-Semitic sentiment is slowly manifesting itself, which, if fanned by the Russian officials after their usual skilful manner, may have very disastrous ends. It is possible that the Patriots, and even a few of the milder Socialists, will join and turn the whole movement into an anti-Semitic demonstration such as took place in 1877, when political ferments ended in the Jewish quarter of Warsaw being sacked and the Jews having to flee from Russian soldiers and Polish populace alike. Russia, true to her policy, did not choose to interfere. But, should the revolutionary party in Russia overthrow the present government, which it is generally believed here will be the case, this anti-Semitic feeling will come to a head much sooner, as even the most democratic and advanced revolutionary party in Russia is not likely to grant Poland all her demands. The opinions recently expressed in the most liberal Russian journals, on the question of giving concessions in the use of the Polish language in schools, plainly show the truth of this view. The Poles may then turn on the Jews as the authors of all the mischief.

The Jews themselves appear to realize the danger of something of this kind happening, and are already adopting a less obtrusive attitude. The "Bund," in a secret manifesto addressed to its members and supporters on the eve of the Russian Easter, exhorted them to refrain from organizing or participating in any First of May demonstrations, lest they provoke anti-Semitic reprisals. And this at a moment when other Socialist bodies, such as the Democratic Socialist party of Poland and Lithuania, and the Polish party of Socialists, were issuing manifestoes calling upon all working-men to cease work on the First of May, as a protest against the existing order of things.

As to Polish demands, their name is legion, for each party has its own aims, as much at variance with the others as with the Russian government itself. We have the indifferent upper classes, loving ease, and hating Socialism; we have the "Conciliatories," denouncing the patriots, and advocating union with Russian autocracy; we have the "squireens" and "patriotic intellectuals," crying shame on aristocrat, Conciliatory and Socialist alike, and dreaming of a Polish King, and a Catholic University; we have the "Socialistic Intellectuals," a power in the land, inciting workmen and peasant against Church, King and capitalist, and striving to build up a democratic constitution, with the help of Russian revolutionists. And, worst of all, we have the downtrodden Hebrew, who, having cast in his lot with Socialism, is anxiously awaiting the result.

Before considering the recent strikes and disorders in Poland, it might be well to look at the general state of the country, and, first, with regard to education. There are 82 per cent. of "illiterates" in Poland, as compared with 65 per cent. in Central Russia, and 5 per cent. in the Baltic provinces. The estimated annual increase of illiterates is 1.2 per cent. in the towns, and 1.7 per cent. in the country districts. Only 4 per cent. of the peasants finish the very meagre course of education given in the elementary schools. Warsaw, the only university in Poland, has but one thousand students for a country of nearly 11,000,000 people. This university is considered to be the worst in Russia, only the poorest class of professors being willing to teach there.

Altogether, educational affairs in Poland are, perhaps, as bad as they well can be. There is a deplorable lack of school accommodation. It is often impossible to get children into the schools

at all, without bribing the officials; and, what is even worse, the professors must in many cases be bribed also, to permit the pupils to pass their examinations, which they must do to enter the university, or the government service, and also to be able to serve the short term as volunteers in the army, instead of the usual three or four years of conscription.

There are some ten millions of Poles resident in Russian Poland, nine-tenths of whom belong to the so-called lower classes. Of these, roughly speaking, seven millions are peasants living on the land, and two millions are artisans and unskilled laborers in the cities and towns.

The lot of neither town nor country worker is a particularly happy one. Coming to the more numerous class first, the peasant laborer, we find that in many respects his life is that of a slave. Summer and winter alike, he toils from morning to night for a scanty pittance, lives in quarters scarcely fit for cattle, and subsists upon a diet consisting chiefly of potatoes.

Of the 7,000,000 peasants in Poland, 3,000,000 are without land, a condition which has led in many parts of the country to agrarian disturbances. As a reward for their loyalty in 1863, the Russian government made somewhat vague and indefinite promises of a land distribution among the peasants, which as usual were never carried out. The awakening intelligence of the peasants is beginning to find out that they have been duped by the Russian bureaucracy, and they are now lending a willing ear to the Socialist agitators, who are everywhere in the rural districts.

Except as regards the unskilled laborer, the condition of the working classes in the towns is better than that of the peasant. In many trades, the wages earned by skilled artisans are fairly good, and would compare not unfavorably with those paid in England. But the conditions under which even the families of the skilled workmen are forced to live leave much to be desired. Artisans' dwellings are unknown, rents are high and the accommodation provided is miserable. For a single room only, the workman must pay in Warsaw ten rubles ($5) a month, and, if he wants a kitchen as well, it will cost another four rubles ($2) or so. It can easily be imagined, therefore, that the lot of the common unskilled laborer in Poland is a hard one. He may earn anywhere from sixty to ninety copecks a day (thirty to forty-five cents), little enough upon which to support a wife and family.

Three or four families of this class herd together in one room, in houses where the sanitary conditions are indescribable. When in Lodz, the so-called Manchester of Russia, I was assured that as many as eighteen people, adults and children, had been found living in a single room. That town, with nearly 400,000 inhabitants, has no water-supply, each house being dependent upon its own artesian well. Small wonder that under such conditions the rate of infant mortality is terribly high! These people live on a starvation diet, consisting chiefly of very weak tea and bread, with small quantities of fat bacon, herrings, potatoes or cabbage. On Sundays they may have a small piece of meat.

Existing under such conditions, it is not remarkable that, when the labor strikes began, they should have spread with such rapidity throughout the country. There is much mystery surrounding the actual inception of the strikes and the skilful management of the whole agitation. Everybody declares the Jews were at the bottom of it, but nobody seems to have been able to discover who the real leaders were, and whether they were in Austria, Germany or elsewhere. Strike funds were provided; but the strikers, who received the daily allowance of ten copecks, did not know themselves where the money came from. The whole movement was wonderfully well organized, and from the strikers' standpoint, at least, was in most instances brought to a successful conclusion. It was of an extraordinarily complex character, as may be gathered from the fact that there were no less than five separate and distinct strikes going on at the same time.

First, there were those in the cities and manufacturing centres, which were industrial and economic struggles. Second, there were the peasants, who wanted higher wages, better conditions of life, and to be permitted to use the Polish language in local government affairs. Third, there were the peasants in Southeastern Poland demanding land, whose agitation was mainly directed against the great estate-owners. Fourth, there were the peasants on the Lithuanian border, whose demands were a mixture of the two foregoing classes. Fifth, the educational and school strike against the Russification policy of the Tsar's government.

The peasants' agitation is still going on, and it is not yet possible to see what concessions the men will gain. In the cities and towns, however, the strikers may be said to have won all along the line. Many of these classes certainly deserved to gain some-

thing, as wages had not been increased for many years, although meanwhile the cost of living had advanced considerably.

The school strike differs from all the other strikes in Poland, as being the only actual strike directed against the Russian government. All the other various strikes had economic or Socialist foundations, and had little or nothing to do with the imperial government. The school strike is ostensibly a protest against the Russification of Poland, by the compulsory use of Russian in the Polish schools for all subjects except religion.

As a matter of fact, in this instance the grievances of the Poles are to some extent imaginary, as the Polish language and literature are really taught in Polish, and the pupils talk freely among themselves in that language during school hours, although by the Imperial Ukase of 1864 these things are expressly forbidden. It is the fashion at the present time, doubtless from patriotic motives, to declare that the school authorities rigorously enforce these rules, but in truth they do not.

The leaders of the strike, who, by the way, are all Socialists, demanded that the schools should be closed until the language concessions were granted, and the authorities immediately complied, probably because it suited their own plans. All the preparations for the strike were made quite openly, and the officials could easily have stopped the movement in its inception had they wanted to do so.

The more thoughtful Polish parents are now beginning to question the wisdom of having supported such a strike, which has resulted in their children having an indefinite release from study, which may have a very injurious effect upon their future. Naturally enough, the boys, and girls too, are delighted to have no lessons, and much prefer talking revolutionary politics, and holding secret meetings at each other's homes. Meanwhile, the Russian authorities are probably not greatly distressed over the unlimited holiday which the youth of Poland is now enjoying, with the consequent injury to Polish culture.

The commercial outlook at this moment is both discouraging and uncertain. The strikes have wrought a disastrous effect upon the industrial situation. The market in the Far East, which it was hoped would grow in importance, is probably lost forever, as it now appears certain Manchuria will pass from Russian possession. Even should it be made an open market, the Polish

industries would have no chance against the Japanese, owing to the great distance and the loss of their high protective advantages.

The labor situation will probably be further depressed when the war is ended by the return of a large number of soldiers to civil life, and it will certainly be a long time before business resumes its normal condition. Unless there come with the return of peace a great industrial revival, affairs are likely to become much worse.

The industrial strikes were settled upon most unsatisfactory conditions, which cannot possibly endure long. In nearly every instance, the employers simply capitulated absolutely to all the demands of their workmen, no matter how unreasonable or even foolishly stupid they were. They did not do so voluntarily, but only under the severest pressure of the authorities, who were so greatly alarmed at the prospect of renewed disturbances that they completely lost their heads, and insisted upon the manufacturers yielding everything in order to end the strikes, and thereby secure the restoration of public order. As regards the pernicious and far-reaching effect of such action, the officials either never thought or perhaps more probably never cared. But it has opened the door for all manner of future troubles.

Strikes were practically unknown in Poland before. Occasionally, one was reported here and there, but it was speedily and sternly suppressed. Now the workmen have gained some idea of their power. They have seen that they can get even the most unreasonable concessions if they strike, and that the authorities will not interfere unless peace is disturbed. The workmen will not be slow to maintain this advantage, and shrewd business men foresee that strikes will play a prominent part in the future relations between labor and capital.

With regard to the higher wages granted to the strikers, it is to be observed that, where the cost of labor is only an insignificant part of the cost of manufacture, this is not so important; but, where the cost of labor enters very largely into the cost of manufacture, it is a very different matter, and the question becomes very serious.

Even though bolstered up with a high protective tariff, the Russian manufacturer finds it very difficult to meet foreign competition, and, in fact, can only do so when his prices are much lower, as the superiority of the foreign-made article is marked.

When the present crisis is over, it will be interesting to note

how far the Jews have been responsible for drawing the Poles into Socialism, and also what Russian influences have been at work. Hasty observers frequently accuse the Tsar's government of stupidity in its governance of Poland. This depends, however, on the point of view.

Russia has studied the Poles as they have never been at the pains to study themselves; and, as a result, the St. Petersburg government has adopted the method, so successfully practised by the Sultan in Macedonia, of setting race against race—or, rather, in this instance, class against class. In 1863, when the fate of Poland was hanging in the balance, Russia played off the peasant against the landowner, and the rebellion was suppressed.

In 1905, when Russia is weak, and a well-organized patriotic movement in Poland would be more than inconvenient, Russia plays the Socialist card, and the danger, for the time at least, is averted. Poland, torn by internal bickerings, ceases to be a menace to the imperial government of the Tsar. The patriot tries in vain to stem the tide of Socialism; the peasant, encouraged by the student, regards the squire as a usurper; whilst the Hebrew is busily engaged upon a plan of campaign, in which he will be certain to gain something, no matter who loses.

Meanwhile, the Russian official, always eager to show the difficulties and dangers surrounding his post in hostile Poland, sends voluminous reports to St. Petersburg telling of the unsettled state of the country, and the absolute futility of attempting to introduce reforms or to grant the Poles any concessions.

Such is the state of Poland to-day, split up into innumerable factions, her trade and commerce well-nigh ruined, demoralized by a century of bondage, and finally in danger of falling a prey to Socialistic schemes, founded by the Hebrews, and furthered by the Russians.

An unfortunate country indeed! Will she ever be more blessed? Will she ever learn the lessons that years of misfortune have so far failed to teach her, the lessons of brotherhood and solidarity, of energy and perseverance?

Time alone can answer.

ROBERT ATTER.

FRANZ LISZT AND HIS CAROLYNE.

BY GUSTAV KOBBÉ.

In the famous Wagner-Liszt correspondence, Liszt writes to Wagner from Weimar, under date of April 8th, 1853, "Daily the Princess greets me with the lines '*Nicht Gut, noch Geld, noch Göttliche Pracht.*'" The lines are from "Götterdämmerung," the whole passage being:

> "Nor goods, nor gold, nor godlike splendor;
> Nor house, nor home, nor lordly show;
> Nor shadowy trust of treacherous contracts;
> Nor the fast law of hypocrite custom;
> Blessed, in joy and sorrow,
> Let love alone be."

The lady, who according to Liszt daily greeted him with these significant lines, was the Princess Carolyne Sayn-Wittgenstein. Since 1848, she and her young daughter, Marie, had been living with Liszt at the Altenburg in Weimar. She remained there until 1860, twelve years, when she went to Rome, whither, in due time, Liszt followed her, to make the Eternal City one of his homes for the rest of his life. His last letter to her is dated July 6, 1886, the year and month of his death, so that for a period of nearly forty years he enjoyed the personal and intellectual companionship of this remarkable woman. Their relations form one of the great love romances of the last century.

Liszt's letters to the Princess, written in French and still untranslated, are in four volumes, the final one of which was published about three years ago. They were given out by the Princess's daughter, Princess Marie Hohenlohe, as a tribute to Liszt as a musician and as a man. They teem with references to his musical activities—information regarding the numerous celebrities with whom he was intimate, the musicians he aided, his own

great works. But their rarest charm to me lies in the fact that, from them, the careful reader can glean the whole story of the romance of Liszt and Carolyne, from its very beginnings to his death.

We know the fascinating male figure in this romance—the extraordinary combination of unapproached *virtuoso,* great composer and man of the world; but who was the equally fascinating woman? Carolyne von Iwanowska was born near Kiew, Russian Poland, in February, 1819. When she still was young, her parents separated and she divided her time between them. Her mother possessed marked social graces, travelled much, was a favorite at many courts, and, as a pupil of Rossini's in singing, was admired by Spontini and Meyerbeer, and was sought after in the most select salons, including that of Metternich, the Austrian chancellor. From her, Carolyne inherited her charm of manner.

Intellectually, however, Carolyne was wholly her father's child; and he was her favorite parent. He was a wealthy landed proprietor, and in the administration of his estates he frequently consulted her. Moreover, he had an active, studious mind, and he found in her an interested companion in his pursuits. Often they sat up until late into the night discussing various questions and—smoking strong cigars.

In 1836, her hand was asked in marriage by Prince Nicolaus von Sayn-Wittgenstein. She thrice refused, but finally accepted him at her father's instigation. The prince was a handsome man, but otherwise commonplace, and not at all the husband for this charming, mentally alert and finely strung woman. The one happiness that came to her through this marriage was her daughter Marie.

Liszt came to Kiew on a concert tour in February, 1847. He first announced a charity concert, for which he received a contribution of a hundred rubles from Princess Carolyne. The gift surprised him, for she had been described to him as a miserly and peculiar person. He called on her to thank her, found her a brilliant conversationalist, was charmed with her in every way, and concluded that what the gossips considered peculiarities were merely the evidences of an original and positive mentality. Upon the woman, who was in revolt against the restraints of an unhappy married life, Liszt, from whose eyes shone the divine spark, who was *au fait* in the salon as at the piano, and who already had

been worshipped by a long succession of women, made a deep impression. Thus were these two drawn to each other at this very first meeting.

When, a little later, Liszt took Princess Carolyne into his confidence regarding his ambition to devote more time to composition, and communicated to her his idea of composing a symphony on Dante's "Divine Comedy" with scenic illustrations, she offered to pay the 20,000 thalers which these would cost. Liszt subsequently changed his mind regarding the need of scenery in his "Dante," but the Princess's generous offer increased his admiration for her. It was a tribute to himself as well as to his art, and an expression of her confidence in his genius as a composer (then shared by but few) which could not fail to touch him deeply. It at once created a bond of artistic and personal sympathy between them. She was carried away by his playing, and the programme of his first concert which she attended was treasured by her and was found among her possessions, after her death, forty years later, by her daughter.

If it was not love at first sight between these two, it must have been nearly that. Liszt came to Kiew in February, 1847. During the same month, she invited him to visit her at one of her country-seats, Woronince. Brief correspondence already had passed between them. To his fifth note he adds, as a postscript: "I am in the best of humor . . . and find, now that the world contains Woronince, that the world is good, very good!"

The great pianist continued his tour to Constantinople. When he writes to the Princess from there, he already "is at her feet." Later in the same year, he is hers "heart and soul." Early the following year, he quotes for her these lines from "Paradise Lost,"

> "For contemplation he, and valor formed,
> For softness she, and sweet attractive grace;
> He for God only, she for God in him!"

She presents him with a baton set with jewels; he writes to her about the first concert at which he will use it. He transcribes Schubert's lovely song, "My sweet Repose, My Peace art Thou," and tells her that he can play it only for her. At the same time, their letters to each other are filled with references to public affairs, literary, artistic and musical matters. They are the let-

ters of two people of broad and cultivated taste—who are drawn to each other by every bond of intellect and sentiment. Is it a wonder that, but little more than a year after they met, the Princess decided to burn her bridges behind her and leave her husband? Through his friend, Prince Felix Lichnowsky, Liszt arranged that they should meet at Krzyzanowitz, one of the Lichnowsky country-seats in Austrian Silesia.

It was shortly before the revolution of '48. To gain permission to cross the border, the Princess pretended to be bound for Carlsbad for the waters. Liszt's valet met her and her daughter, as soon as they were out of Russia, and took them to Ratibor, where they were received by Lichnowsky and by him conducted to Liszt. After a few days at this place of meeting, they went to Gräz, where they spent a fortnight in another of the Lichnowsky villas. Among the miscellaneous correspondence of Liszt is a letter dated at Gräz to his friend, Franz von Schober, councillor of legation at Weimar, where Liszt was settled as court conductor.

"She is without doubt an uncommon and thoroughly brilliant example of soul and mind and intelligence (with a prodigious amount of *esprit* as well)," he writes to von Schober anent the Princess. "You readily will understand," he adds, "that henceforth I can dream very little of personal ambition and of a future wrapped up in myself. In political relations serfdom may have an end, but the dominion of one soul over another in the domain of the spiritual, should that not remain indestructible?" Liszt's prophetic soul! Thereafter his life was shaped by this extraordinary woman, for weal and, it must be confessed, for reasons which will appear later, partly for woe.

The Grandduchess of Weimar took the Princess under her protection and she settled there in the Altenburg, while Liszt lived in the Hotel zum Erbprinzen. Many tender missives passed between them. "*Bon jour, mon bon ange!*" writes Liszt. "*On vous aime et vous adore du matin au soir et du soir au matin.*" "*On vous attend et vous bénit, chère douce lumière de mon âme!*" "*Je suis triste comme toujours et toutes les fois que je n'entends pas votre voix—que je ne regarde pas vos yeux.*"

One of the billets relates to an incident that has become historic. Wagner had been obliged, because of his participation in the revolution, to flee from Dresden. He sought refuge with Liszt in Weimar, but, learning that the Saxon authorities were seeking

his apprehension, decided to continue his flight to Switzerland. He was without means and, at the moment, Liszt, too, was out of funds. In this extremity, Liszt despatched a few lines to the Princess. "Can you send me by bearer sixty thalers? Wagner is obliged to flee, and I am unable at present to come to his aid. *Bonne et heureuse nuit.*" The money was forthcoming, and Wagner owed his safety to the Princess. It was a "*bonne et heureuse nuit*" for him. This is but one instance in which, at Liszt's instigation, the Princess was the good fairy of poor musicians.

About a year after the Princess settled in the Altenburg, Liszt too took up his residence there. From that time until they left it, it was the Mecca of musical Europe. Thither came von Bülow and Rubinstein, then young men; Joachim and Wieniawski; Brahms, on his way to Schumann, who, as the result of this visit from Brahms, wrote the famous article hailing him as the coming Messiah of music; Berlioz, and many, many others. The Altenburg was the headquarters of the Wagner propaganda. From there to Wagner, during the darkest hours of his exile and poverty, went material and artistic comfort.

Wendelin Weissheimer, a German orchestral leader, a friend of Liszt and Wagner, and of many other notable musicians of his day, has given in his reminiscences (which should have been translated long ago) a delightful glimpse of life at the Altenburg. He describes a dinner at which von Bronsart, the composer, and Count Laurencin, the musical writer, were the other guests. At table the Princess did the honors "most graciously," and her "divinity," Franz Liszt, was in "buoyant spirits." After the champagne, the company rose and went up-stairs to the smoking-room and music salon, which formed one apartment, "for, with Liszt, smoking and music-making were, on such occasions, inseparable." One touch in Weissheimer's description recalls the Princess's early acquired habit of smoking.

"He (Liszt) always had excellent Havanas, of unusual length, ready, and they were passed around with the coffee. The Princess also had come up-stairs. When Liszt took his place at one of the two pianos, she drew an armchair close up to it and seated herself expectantly, also with one of the long Havanas in her mouth and pulling at it delectably. We others, too, drew up near Liszt, who had the manuscript of his 'Faust' symphony open before him. Of course, he played the whole orchestra; of

course, the way in which he did it was indescribable; and, of course, we all were in the highest state of exaltation. After the glorious 'Gretchen' division of the symphony, the Princess sprang up from the armchair, caught hold of Liszt and kissed him so fervently that we all were deeply moved. (In the interim her long Havana had gone out.)"

The years which Liszt passed with the Princess at the Altenburg, and when he was most directly under her influence, were the most glorious in his career. Besides the "Faust" symphony, he composed during this period the twelve symphonic poems, thus originating a new and highly important musical form, which may be said to bear the same relation to the set symphony that music-drama does to opera; the "Rhapsodies Hongroises," his piano sonata and concertos; the "Graner Messe"; and the beginnings of his "Christus" and "Legend of the Holy Elizabeth." The Princess ordered the household arrangements in such a way that the composer should not be disturbed in his work. No one was admitted to him without her visé, she attended to the voluminous correspondence, which, with a man of so much natural courtesy as Liszt, would otherwise have occupied an enormous amount of his time. He was the acknowledged head of the Wagner movement, at that time regarded as nothing short of revolutionary; he was looked upon as the friend of all progressive propaganda in his art; to play for Liszt, to have his opinion on performance or composition, was the ambition of every musical celebrity, or would-be one; his cooperation in innumerable concerts and music festivals was sought for. His was a name to conjure with. Between him and such assaults on his almost proverbial kindness stood the Princess, and the list of his great musical productions during this period, to say nothing of his literary work, like the rhapsody on Chopin, is the tale of what the world owes her for her devotion.

The relations between Liszt and the Princess were frankly acknowledged and by the world as frankly accepted, as if they were two exceptional beings in whom one could pardon things which, in the case of ordinary mortals, would mean social ostracism. The nearest approach to the situation was that of George Eliot and Lewes. But, with Liszt and his Princess, the world, possibly after the fashion of the Continent, was far more lenient, and their lives in their outward aspects were far more brilliant. No shining light in literature, music, art or science passed through

Weimar, or came near it, without being drawn to the Altenburg as by a magnet. There seems to have been within its walls an almost uninterrupted intellectual revel—to use a trite expression, which here is most apt, a steady feast of reason and flow of soul. The sojourn of Liszt and the Princess in the Altenburg was a "golden period" for Weimar, a revival of the time when Goethe lived there and reflected his glory upon it.

And yet—convention is the result of the concentrated essence of the experience of ages; and no one seems able to break through it without the effort leaving a scar. It cast its shadow even over the life at the Altenburg. There remained one great longing to the Princess, the non-fulfilment of which was as a void in her soul. She yearned to bear the name of the man she adored. During the twelve years of their Weimar sojourn she battled for it, but in vain. Then she transferred the battle-field to Rome.

Her husband, a Protestant, had found no difficulty in securing a divorce from her. She was an ardent Roman Catholic, and the church stood in her way, her own relatives, who had been scandalized at her flight, being active in invoking its opposition. She went to Rome in the spring of 1860, to press her suit herself at the very centre of churchly authority. Liszt remained in Weimar awaiting word from her. It took her more than a year to secure the Papal sanction. Then, when everything seemed auspiciously settled and her marriage with Liszt a certainty, her enthusiasm led her to take a step, which, at the very last moment, proved fatal to her long-cherished hope.

Had she returned at once to Weimar, her union with Liszt undoubtedly would have taken place. But no. In her joy, she went a step too far. In Rome, there where the marriage had been interdicted, there where she had successfully overcome opposition to it, there she was bound it should take place. Her triumph should be complete.

Liszt was sent for. His last two letters to her before their meeting in Rome are dated from Marseilles, in October, 1861. The marriage was to take place on October 22nd, his fiftieth birthday. He writes to her from the Hôtel des Empereurs, that he himself is "*plus heureux que tous les empereurs du monde!*" and again "*Mon long exil va finir.*"—And yet it was only just beginning!

He arrived in Rome on October 20th. All arrangements for

the ceremony in the San Carlo al Corso, on the 22nd, had been made. Then, by a strange fatality, it chanced that several of the Princess's relations, who were most bitter against her, entered upon the scene. Of all times, they happened to be in Rome at this critical moment, and, getting wind of the impending marriage, they entered a violent protest. When, on the evening of the 21st, Liszt was visiting the Princess, a Papal messenger called and announced that His Holiness had decided to forbid the ceremony until he could look into the matter more fully, and requested from her a resubmission of the documents bearing on the case.

To the Princess, then on the threshold of realizing her most cherished hopes, this was the last stroke. Her overwrought nature saw in it a judgment of heaven. She refused to resubmit the papers; and even when, a few years later, Prince Wittgenstein died and she was free, she regarded marriage with Liszt as opposed by the Divine will. A strain of mysticism, nurtured by zealous ecclesiastics, developed in her; she became possessed of the idea that she was a chosen instrument in the Church's hands to further its interests; and with feverish, desperate energy she devoted herself to literary work as its champion. She had her own press, which set up each day's work and showed it to her in proof the next. Rome she did not leave except on one occasion, and then for less than a day, during the remaining twenty-six years of her life.

It has been hinted more than once that the Princess's course was not as completely governed by religious mysticism as might be supposed—that her sensitive nature had divined in Liszt an unexpressed opposition to the marriage, as if, possibly, he did not wish to be tied down to her, yet felt bound in honor, because of the sacrifices she had made for him, to appear to share her hope. La Mara (Marie Lipsius), the editor of the Liszt letters, whose interesting notes form the connecting links of the correspondence, does not coincide in this view. But while it is true that, whenever Liszt was in Rome, he and the Princess saw each other frequently, that he became an Abbé probably through her influence, and that in some of his correspondence of later years there are notes of regret, the letters after the crisis in Rome breathe, as a whole, an intellectual rather than a personal affinity.

Be this as it may, that crisis was a tragedy in his life as well

as in her own. Practically, each of his remaining years was divided between Budapest, in connection with the Conservatory there; Weimar, but no longer at the Altenburg; and Rome, but not at the Princess's residence, Piazza di Spagna. Each year he lived in three places, none of which was "home." The "golden period" of his life, and the outlines of the Altenburg, where others now housed, were dim shadows of the past. Liszt was the "grand old man" of the piano and one of the great masters of music; but whoever knows the story of his last years sees in him a wandering and pathetic figure. He died at Bayreuth in July, 1886; Carolyne survived him less than a year. Her twenty-six years in Rome were years of unremitting labor—more than a quarter of a century frittered away on a mistaken mission, which the world has forgotten, if, indeed, it ever took notice of what she was doing there. It is the linking of her name with Liszt, and its association with the "golden period" of Weimar, that will cause her to be remembered so long as his fame shall endure.

GUSTAV KOBBÉ.

THE POLITICAL FUTURE OF INDIA.

BY SIR HENRY COTTON, K.C.S.I.

THE great political problem that lies before India is the awakening of her national consciousness, and the formation of a national movement with common sentiments of interest and patriotism. The different races, the numberless castes, classes and creeds, of India are being welded together. This is primarily the result of education, the inestimable boon which, in accordance with a noble and liberal policy, England has extended to India. It is education, and education on English methods and on the lines of Western civilization, that has served to unite the varying forces among the Indian populations. The English language is the channel through which the people are now able to meet on a common platform, and to give expression to their identical interests and aspirations. The railways, the steamships, the post-office, and the telegraph have played their part in closing the gap that used to keep the different provinces of India asunder, and the unification advances by leaps and bounds.

The unmistakable yearning for nationality finds its utterance through a newspaper press which has now become a potent factor in politics. The growth of this press has been phenomenal, rising, in little more than one generation, from struggling, obscure, and fitful efforts into an organ of great power, criticising the measures of Government with remarkable independence and vigor, and continually checking the abuses of executive authority. It has its imperfections, but it is impossible not to admire the ability and patriotism with which it is conducted. The unanimity of this press is as marked as the increase of its influence. The whole of its influence is in the direction of nationalization. A single note is struck. In every large town in India, newspapers are now published, identical in their spirit and in their object,

all aiming and converging at the formation of a single political ideal.

The growth of an Indian nation is the great political revolution that is now working. There is no doubt of its meaning, its character or its destination. It involves the introduction of no anarchical element into India's future: there is no sign of any rupture with the past. We know that the present form of British administration cannot be permanent. The Right Hon. Mountstuart Elphinstone wrote as long ago as 1850:

"I conceive that the administration of all the departments of a great country by a small number of foreign visitors, in a state of isolation produced by a difference in religion, ideas and manners, which cuts them off from all intimate communion with the people, can never be contemplated as a permanent state of things. I conceive, also, that the progress of education among the natives renders such a scheme impracticable, even if it were otherwise free from objection."

Every thinking man must know that these words are true. But we know also that the connection between India and England will not be snapped. India is bound to England, as England is to India. The English language, while it is the means of enabling India to attain unity, binds her also to Great Britain. The future of India is linked with that of England, and it is to England that India must always look for guidance, assistance and protection in her need.

We have to deal with a problem of extraordinary difficulty and complexity. We are face to face with a great upheaval which has revolutionized all departments of thought, inspired the aspirations of diverse communities and infused the sense of nationality into the people throughout a vast and surging empire.

More than twenty years have now elapsed since Lord Cromer, the greatest and most successful of Britain's pro-consuls, wrote:

"No one who watches the signs of the times in India, with even moderate care, can doubt that we have entered upon a period of change. The spread of education, the increasing influence of a free press, the substitution of legal for discretionary administration, the progress of railways and telegraphs, the easier communication with Europe and the more ready influx of European ideas are beginning to produce a marked effect upon the people. New ideas are springing up. New aspirations are being called forth. The power of public opinion is growing daily. Such a condition of affairs is one in which the task of government, and especially of a despotic government, is beset with difficulties of no light kind.

To move too fast is dangerous, but to lag behind is more dangerous still. The problem is how to deal with this new-born spirit of progress, raw and superficial as in many respects it is, so as to direct it into the right course, and to derive from it all the benefits which its development is capable of ultimately conferring upon the country, and at the same time to prevent it from becoming, through blind indifference or stupid repression, a source of serious political danger. It is only what ought to be expected by every thoughtful man that, after fifty years of free press and thirty years of expanding education, with European ideas flowing into the country on every side, and old indigenous customs, habits and prejudices breaking down, changes should be taking place in the thoughts, the desires and the aims of the intelligent and educated men of the country which no wise and cautious government can afford to disregard, and to which they must gradually adapt their system of administration if they do not wish to see it shattered by forces which they have themselves called into being, but which they have failed to guide and control."

This statement is fraught with wisdom; and, during the twenty years which have since elapsed, the conditions mentioned by Lord Cromer have developed with increasing rapidity. It is not within the power of any man to obstruct the tide of progress, otherwise than for a time, by a policy of reaction. The period of Lord Ripon, and of his Finance Minister, who is now Lord Cromer, has been well described as the Golden Age of Indian reformers, when the aspirations of the people were encouraged, education and local self-government were fostered, and the foundations of Indian nationality were firmly laid. The natural trend of official opinion has been to assert itself in a reactionary outburst against this development, disparaging the vantage-ground acquired in the past. We are told that the salvation of India is not to be sought on the field of politics at the present stage of her development, that there are many other fields of usefulness and power which lie around the citadel of politics, and that when these fields are occupied the entrance to real political life will be easy, natural and safe. It is asserted that the weakness and limitations of the newly educated classes are now more clearly perceived, and that the complexities of the problems of Oriental politics are more distinctly realized. These are the commonplaces of reaction. They are the arguments of Mr. Noodle in his fatuous oration by Sydney Smith. But it is not by indulgence in such vague generalities that the current of advance can be stemmed.

Of what avail is it to disparage Burke, and Macaulay and

Bright, Ripon, Cromer and Elphinstone? It is impossible to withstand the flowing tide. Temporary spasms of reaction are inevitable. They pass away like footprints on the sand, and we need not trouble too much about vexatious aberrations from the path of progress. They will be quickly forgotten. It is not reserved to any human agency to set back the dial of time. The result of reaction is always to galvanize into fresh life.

It was lately declared by a high authority that he could not conceive of a time as remotely possible in which it would be either practicable or desirable that Great Britain should take her hand from the Indian plough. Such is not my conception of India's future. An abrupt retreat would, indeed, be advocated by no one, and the process of reconstruction cannot be effected otherwise than by slow and gradual means. Many years must elapse before we can expect the consummation of a reconstructive policy. But Indian patriots look back upon their past with a just sense of pride, and they know that India will again take her own rank among the nations of the East. They are striving for the attainment of this ideal, which, however it may be delayed or marred in execution, is sure in the event.

Autonomy is the key-note of England's true relations with her great Colonies. It is the key-note also of India's destiny. It is more than this: it is the destiny of the world. The tendency of Empire in the civilized world is in the direction of compact autonomous States, which are federated together and attached by common motives and self-interest to a central power. There are already local legislatures, in which a certain measure of representation has been granted to the Indian people. A small concession has been made in this direction, but it is wholly inadequate to meet growing demands. In the cautious and gradual development of representation, in the increase of the power and influence of India itself, involving the ultimate extension of autonomy, will be found the appropriate and natural prize and legitimate goal for Indian aspirations.

It was the dream of John Bright, and he indulged in no mere mystic prophecy when he foresaw, that India would fulfil her ultimate destinies by a process of evolution, out of which she would emerge, not through force or violence as an independent state, or torn from Great Britain, or abandoned to England's enemies, but as a federated portion of the dominion of the great

British Empire. The ideal of the Indian patriot is the establishment of a federation of free and separate states, the United States of India, placed on a fraternal footing with the self-governing Colonies, each with its own local autonomy, cemented together under the ægis of Great Britain. That is a forecast of a future, dim and distant though it be, the gradual realization of which it is the privilege of Government to regulate, and the aim and hope and aspiration of the Indian people to attain.

This is the ideal of India's future. It is a conception which gathers as it grows, and insensibly attracts into the political evolution all other great problems of economic and social reform which are awaiting solution.

India's great economic problem is the poverty of the people. No one who considers the economic condition of India can doubt that one of its greatest evils is to be found in the fact that the great mass of the people are dependent upon the cultivation of the soil. The establishment of large industries capitalized by Englishmen affords but a poor compensation for the variety of indigenous industries once spread through the country. An India supplying England with its raw products, and dependent upon the West for all its more important manufactures, is not a condition of affairs which an Indian patriot can contemplate with equanimity. India is the field where British capital is invested, but all the interest that is reaped therefrom passes to the pocket of the investor, and he takes it to England. This is a part of the economic drain which has been sneered at as a "copy-book fallacy" and as a "foolish and dangerous illusion." But how can it be denied that it would be vastly more beneficial to India if the wealth produced in the country were spent in the country? India is poor, and there are those who believe that, in consequence of its political conditions, it is becoming poorer; but the ambition of the people is to take their place among other nations in the future federation of the world. Their opposition to the exploitation of their country by foreigners is based upon a conviction that this exploitation is a real obstacle to progress; and the prosperity of the country depends upon the diminution of its economic drain and on the conservation of its resources for ultimate development by indigenous agency.

The difficulties are immense, for the essential difficulty always hinges on the disagreeable truth that there can be no revival of

Indian industry without some displacement of British industry. But the first steps have been taken, and a start made by Indian capitalists. The beginnings are small, very small, at present; but, like the little cloud no bigger than a man's hand, they may grow and swell with a full promise of abundance.

Look at Japan! The force which has made Japan what she is, is an absorbing patriotism derived from, and dependent on, her national existence. It is based on collective action which independence alone can give. What an inspiration is afforded by the character of these Eastern islanders! What an example have they not set to the East of the power of a patriotic spirit! The conditions in India do not point to any early renaissance such as has been witnessed in Japan. But the changes that are taking place are as remarkable in their social, moral and religious relations as in their political and economic aspects; and the nascent nationalization is the magnet which holds together the solvent influences of Western civilization let loose on the simple society of the East. Under the immediate effect of these influences, old organizations are crumbling up, and India has entered upon a long period of transition preparatory to the establishment of a new order.

The result of English education has been to break the continuity of centuries, and the problem now is to bridge over the period of disorder with the least disturbance. Official interference was unavoidable in the first instance—in no other way could a beginning have been made; but the educational movement in India now stands in need of no such stimulus. It is in matters of education, more than any other, that the people of the country have become ripe for self-government. Systematic education is already falling into the hands of private enterprise. The time has come for the government to transfer its educational endowments to the custody of those who have been educated through them. The present system of University education should be reconstituted on a representative basis. A policy which proposes to knit together still tighter the bonds of official control is absolutely retrograde. It has been condemned by every section of Indian opinion; and though it may temporarily prevail, it will be as evanescent as it is unsound. The problem of grafting Western ideas on to an Oriental stock is now ready for solution in the only way in which a successful solution is possible, by means of

Orientals, who, having been thoroughly imbued with a knowledge of Western civilization, have at the same time not lost sight of the traditions of their past.

A bureaucratic government is not likely to underestimate the value of any administrative reform which it puts forward of its own initiative, or the urgency of the call for its introduction. But, when the proposed reforms are pressed on them from outside and affect their own constitution, we need have no apprehension of undue haste or injudicious eagerness to accept them. The key-note of administrative reform is the gradual substitution of Indian for European official agency. This is the one end towards which Indians are concentrating their efforts, and the concession of this demand is the only means of satisfying the most reasonable of their legitimate aspirations. Lord Ripon justly urged, on behalf of his scheme of local self-government, that it would be an instrument of political education. And it may be as truly said that, if we desire to eventually establish an independent government, we can only do so by training the people to a sense of self-help and self-reliance through familiarity with the details, as well as the principles, of executive administration. It is no unworthy aim that is held out to the rulers of India for fulfilment. It is a title to glory all their own, that they found a great people sunk in the lowest depths of subjection and have so ruled them as to make them desirous of all the privileges of citizenship. But, however great may be their energy and activity in working through an official agency, it counts as dross if they lack the higher genius of educating the people by making them work for themselves, of evoking their powers by affording them opportunities for their exercise, and of raising them from a condition of mere passive subjection to a capacity for the discharge of higher responsibilities. A nation is the best administered which can manage its own concerns with the least aid from government; and no system of administration can be progressive or beneficial which crushes out the self-reliance of the people, and blights their legitimate aspirations to realize their destiny through their own exertions.

HENRY COTTON.

OUR NEGLECT OF SOUTH-AMERICAN MARKETS.

BY GEORGE AGNEW CHAMBERLAIN, UNITED STATES VICE-CONSUL-GENERAL AT RIO DE JANEIRO.

A RECENT article in the NORTH AMERICAN REVIEW on the international aspect of our tariff situation gives us serious food for thought as a nation. The protective policy whose aim was to make us self-sufficient has surpassed its primary object, and our growing need of a foreign market has been proclaimed to all the world in our commercial assault upon Europe.

The march of progress from East to West is an historical phenomenon familiar to all, but the returning wave which, with American enterprise on its crest, has been gathering way in the last few years is a movement so new that it has but lately awakened speculation as to its force and volume. This movement is no less a phenomenon than the former, for the logical turning-point should have been reached only when there were no new fields left to conquer, irrespective of the East and West line. Why is the American producer, upon exhausting the home market, turning the flood of product back upon Europe, the very source whose westward flow developed into the mighty river of American commerce?

The movement is phenomenal because it is rejecting the vast, unopened market of South America to storm the fortress of manufacture, not justified by the conviction that the fortress is weak, but merely on the supposition that it is vulnerable.

The elation that the American manifests at each commercial onslaught on the European stronghold is, to say the least, premature. In view of certain recent developments, it takes no prophet to predict that we are about to awake to the fact that we have been poking a sleeping enemy.

Take, for instance, the invasion of the English shoe-market. By cutting down margins to the vanishing-point, we have established a sale for shoes in England. What is the result? The English industry has taken a new lease of life; its factories are rapidly undergoing a transformation; American methods are being introduced, along with American machinery and lasts; and, with the tremendous factors of no freight and cheap labor against us, it is only a question of time when the invaded will turn the tables on the invaders.

"Well," says the American, "I sell him the machines anyway." That is true; but it brings up another point. In a flourishing city of Brazil,—a city, by the way, as advanced as any of its size in the United States—a large shoe-factory has just been equipped. It is fitted with the most modern appliances, and an employee informed me that the machinery was all American. "But how about these English name plates?" I remarked. "Oh," he answered, promptly, "it was exported from England."

I have also seen a parallel case on a South-American sugar plantation. So, even on our machinery, the English are getting a commission which, added to four thousand miles of extra freightage and the charge of the London banking toll-gate, makes one wonder what the American's margin is and whose pocket he is trying to fill.

While we are underselling our own market in Europe, rousing our competitors to desperate efforts by selling at prices we cannot maintain at home, these competitors are quietly invading fields which at present offer little opposition in the way of home production.

Any one who will read Mr. Stone's article on the tariff situation will easily convince himself that Europe has also been most thoroughly aroused to the possibilities of direct opposition to American invasion through tariff retaliation. We are awaking to find about Germany, France, Russia, Italy, Switzerland and Spain protective walls so high that the unconditioned enforcement of their tariffs would undoubtedly spell ruin to our European trade, which constitutes three-fourths of our total foreign activity. Above all, Germany is about to call our hand most emphatically, and we shall have to show it. Mr. Stone refrains from predicting whether it will prove to be reciprocity or merely "stand pat." The treaties tentative of reciprocity concluded

by our special commissioner, the Hon. John A. Kasson, were so energetically opposed by the Senate, and that not on their merits, that "stand pat" would seem to be the policy favored by that legislative body. If this course be followed consistently, it is safe to presage an entirely new phase of the tariff war in the near future,—a phase which will awaken the tardy but active interest of every American exporter through a sudden tumble in his gross receipts. In other words, the game will have passed the stage of "bluff" which Germany has been playing with success, barring the United States, ever since she startled the commercial world by passing the extraordinarily high tariff of 1902, not yet enforced.

It is patent that what brought on the tariff war was not so much our own system of protection as our tremendous assault upon European markets. The radical measure enacted by Germany in 1902 would never have passed the Reichstag save for the general hue and cry which had for its key-note the "American invasion."

The sum of our tariff situation is this: that, for the first time, we are confronted by a foreign element—concerted external pressure so determined that our position at the present date may reasonably be termed a predicament.

Before this anticlimax we may well ask ourselves whether the game was worth the candle. In the writer's opinion, and from an all-world standpoint, the answer is in the negative. While we have been fighting for crumbs amongst a horde of competitors, our most powerful rivals, under cover of a flattering general cry of dismay, are conquering new worlds much more lucrative than the old and frayed one.

Take South America, or, rather, as more befitting the scope of these remarks, Brazil. The American exporter or contractor, with surprisingly few exceptions, is at a loss to say whether this bit of the continent approximates Rhode Island or Texas in size and development. The fact is that, if you set Brazil down in the United States, from Atlantic to Pacific, you have but an insignificant trifle left over for a fringe. Throughout this tremendous stretch of territory, railroading is in its infancy, electric traction has invaded but half a dozen cities, and its population, over one-third that of South America, is practically dependent upon foreign manufacture. The English built what railroads there are;

Germans and Canadians dominate the street-railway situation; Portuguese, Spanish and Syrians hold the retail trade, and the French set the fashions in dress and thought.

As to commerce in its strict sense, the comparison in this case is odious only to the American. Nearly half the money that enters Brazil comes directly from the pocket of the American importer, and goes as directly into that of the German, English, French, Belgian, Argentine and Portuguese exporter.

Within the last three years, contracts for city improvements in the city of Rio de Janeiro alone have been given out to the amount of $40,000,000. The American share so far is half a dozen blocks of asphalt.

The reason for this state of affairs is not far to seek. First of all, the American has no idea of "commercial geography." The only grasp he gets upon it comes to him by chance. His doctor, or his daughter, declares that three months' travel is imperative; and travel to him means the grand trunk line to Italy and back. He makes the run, and on the way he cannot resist the temptation to drop in to visit a few factories that are turning out his line of goods. He sees an article, prices it, tests it and on the quiet voyage home, after sundry calculations based on rebates, pools and what not, arrives at the conclusion that the two-cent margin is a good thing if he can send over so many thousand at a time. He decides to show the fellow over there what he can do, and thinks that is good business. Now, travel is the basis of all export trade, yet this is as far as we have gone in its application. The American, of course, heard of Brazil when he was in the primary school, but whatever he learned about it is mixed up with nursery rhymes. By his own initiative a dealer in Rio de Janeiro created a sale for American shoes, and last year his sales amounted to over five thousand pairs. The profit was two dollars on every pair. This trade is only nascent; but, to counteract it, the English have already completed a modern factory on the spot, equipped it with American machinery and imported skilled American foremen. Considering that the Brazilian protective tariff of about one hundred per cent., *ad valorem,* is thus avoided, the success of the plan is assured.

Again, the reason why the American has been completely shut out from the big Brazilian contracts and trade in general is his ignorance of conditions in out-of-the-way countries and of the

elementary methods of invasion. He glances at a consular report, and sees that bids are called for a retaining wall, a system of municipal markets or fifty miles of railroad. He writes to the consul and asks for further particulars. By the time the consul gets the letter, two months and a half at least have passed, and when he gets time he answers. On this amateur information, the contractor may send a representative. Five months have elapsed, and the representative finds the wall half built, foundations in for the markets and the railroad contracted. This is because the Englishman has his branch house on the spot. While the American is writing for particulars, the Englishman is cabling estimates.

To the American, too, all South-American credit is bad. He does not think that any South-American country can offer a safe guarantee, and he is ignorant of a fact long since weighty with Englishmen—that Brazil has never repudiated a foreign debt.

With the same lack of foresight, while the English and Germans are pushing their feelers into the most remote fields, searching out the markets where the retailer shudders at anything under fifty per cent. profit, the Americans, instead of sending out intelligent and responsible representatives, are satisfied with giving sole agencies to any firm they can get to answer their circular letters. Now, if a business man in the United States should give a Philadelphia house the sole agency for his orange-wood toothpicks and expect large sales in Texas, his friends would have reason to doubt his mental balance. Yet, it is just such financial farce that the American method is bringing about in Brazil every day. Not long ago, a Bahia house ordered a shipment of a dozen bicycles. The shipment was seized upon arrival by order of a Rio house a thousand miles away, which held the sole agency for Brazil but never had exploited it beyond its home town.

To put the matter plainly, at the expense of repetition, the whole trouble lies in the American's ignorance of all things south of the equator. If he should decide to go down to Brazil to have a look-in and trade with the natives, he would not be quite sure whether to take a letter of credit or bright beads and red cloth. No doubt, it would stun him to have his correspondent meet him at the station with a motor-car and run him around a bit to show him the town, for all the world as if he had landed in Rochester. Yet such a thing might easily befall him in the city of S. Paulo;

and, if he asked his friend if any of the motor-cars they passed were American, he would get the answer: "No. Do you make them?"

There is another side to the situation which is daily becoming more serious. Brazil is making a noble fight for financial prosperity, and stands head and shoulders above every other South-American country in intrinsic importance. She is fast developing into a rich market, and she knows her own consequence as a big prize in the commercial race. Her long subjection to the cold shoulder of the country that should be foremost in helping her exploit her wealth is leaving its deep and lasting mark. Nothing transmits a sharper sting than the simple fact of being ignored, and the persistent indifference we are showing before the opportunities offered by this great and young sister republic is beginning to bear fruit in marked dislike. Day by day her glimmering of the better side of American character is becoming dimmed, and her eyes are fastening on those faults we least care to be known by. The protecting interest of the Monroe Doctrine is wormwood to her, for it hurts her pride of country; she feels perfectly capable of looking after her own back fences in the future, as she has in the past. So what we are wont to look upon as our generosity, she sees as interference. Slowly she is coming to hold complacent self-absorption, ill-directed aggressiveness, and increasing evidence of the "big stick" in our national policy, as the distinctive stamp of our national character.

Brazil finds in us a market for almost fifty per cent. of her total exports. She sends us yearly from six to eight million bags of coffee. It is exported by German houses; carried on English, German and Belgian ships; and paid for through London bankers. As in Brazil, so in the remaining republics south of the equator. Save where special industries have forced them to seek out American manufactures, we send them nothing but kerosene and codfish. We know them only through their international and internal embroglios: consequently, we know least of the most conservative, peaceable and promising among them.

Granted that our tariff complications have placed us in a predicament, can we not find in our position between two fires a lesson, and in the unexplored South-American market an alternative which may rapidly assume the properties of an antidote?

GEORGE A. CHAMBERLAIN.

MARRIAGE AND DIVORCE FROM A LAY POINT OF VIEW.

BY ELIZABETH CARPENTER.

In the April number of the North American Review a high authority in the Protestant Episcopal Church arraigned what he called "Catholic Theory and Practice" concerning "Remarriage after Divorce," and in the May issue an equally authoritative member of the Church of Rome published an able defence, vindicating the Romanist's theory and justifying his practice. It is certainly true that the outside world, deeply interested in this vital human problem and finding some of its phases thus expressed by men eminent in ecclesiastical affairs, has read with attention all that has been said and has recognized the sincerity and dignity with which both views have been stated. But to the lay mind, to the dweller in the restless mart of unceasing change (which is the inevitable characteristic of the world at large), the opinions of these earnest Churchmen seem sadly inadequate—somehow, most depressingly beside the point.

There is a vast field of human experience out and beyond the farthest range of the ecclesiasticism of to-day. There are so many overt facts in modern living that simply refuse to coalesce with ecclesiastical theories, that the would-be clear-headed thinker is tossed to and fro between divorce and no-divorce, until he turns finally away from both Protestant and Catholic and seeks firm ground, as best he may, in the large, sane sense of an ever-progressing moral ideal in the great world.

It is to this tremendous factor in our present problem that I venture to call attention here; and, with the deepest respect for the Church in all its branches, and an honest appreciation of its splendid service to mankind, I still am moved to urge that, in the solution of the divorce-remarriage question, the Church herself

is now presenting perhaps the greatest stumbling-block which the unbiased thinker is obliged to face.

What are the facts? The answer has been voiced in a late book* by a most honored member of the Protestant Episcopal Church:

"It is plain that Christ had in mind a Church; it is as plain that the thing which we call the Church is not the thing He had in mind. The difficulty which one confronts at the outset is to find the thing at all.

"To speak exactly, there is no objective reality to which the title 'Christian Church' can be applied. . . . There are not one-half as many separate governments in the world to-day as there were even a century ago. So far as one can see, there is a much more immediate prospect of a Catholic State than of a Catholic Church. It is a startling fact that the most potent divisive force at work in human society is the Church."

This is, perhaps, the strongest impression which remains with the general reader after he has attempted to digest some of the many conflicting views in the theological realm.

What is the logical conclusion? Simply that, upon so grave a subject as the marriage, the divorce and the remarriage of the men and women in our world of to-day, the one stable place from which we may reasonably look for guidance is the concrete experience of the human race as shown in its secular laws, its prevailing customs and its undeveloped ideals.

Now, what is the actual truth about our world of to-day? No student of history may doubt for one moment that the story of human experience has been one long, unceasing, untiring progression towards higher ethical expression, towards deeper spiritual truths. With all our faults and foibles admitted, it still remains true that the present generation is the most honest, the most upright, the most earnest and the most chaste aggregation of people that this planet has yet evolved. We are more kind, more generous, more temperate, more true and more fundamentally refined than any of our ancestors; and it is quite possible that it might be proven that we are also more religious.

But Bishop Doane writes, with evident personal conviction:

"I have not the slightest doubt that an increasing number of people will hold the Prayer-Book teaching, that the Church contemplates the marriage of one woman to one man until they are parted by death; and I have no doubt that a decreasing number of people will believe that adultery dissolves the bond."

* "Christ," by S. D. McConnell, D.D., LL.D.

The overt facts in modern daily living do not seem to sustain this opinion; and, indeed, the contrary conclusion is very much to the fore, at least in non-ecclesiastical circles. An increasing number of divorces is, in truth, the cause of the increasing discussion of them; but here the lay mind reaches a curious situation. Emerson says that women are the true index of the coming hour, and it may now be taken for granted that the position of woman in the social scale is in direct proportion to the civilization and the moral status of the men of her especial age or nation.

Searching for concrete illustration in the nineteenth century, what do we discover? In the world of art, of literature, of music, of science—in the ranks which represent the highest capabilities of the race in active play—what is the record? A list of very significant names. Goethe, Wagner, George Eliot, Robert Louis Stevenson: Millais and Ruskin; George Sand; Victor Hugo; Edwin Arnold, and many more, all counting as strong, moral and spiritual forces in the elevation of their day, and yet one and all voicing the insistent reiteration of precisely the situation which the Church authorities claim to be unlawful, immoral and destructive to general society. Here are stubborn and most contradictory facts. And in the field of fiction what is the count? A very large majority of good novels, written by upright and honorable men and women, insisting that morality and spirituality cannot be measured by the rule of conventual custom, and that there is possible a cleanliness of soul in spite of cruel experiences of mind and body.

Three good and noble women, for instance—three great moralists—three spiritual teachers, in the highest sense, have given to our day the fervor and the force of the feminine nature striving towards perfection in ethical and moral values, and what is their testimony? George Eliot put aside the English law and married George Lewes; Mrs. Browning wrote "Aurora Leigh," and Mrs. Humphry Ward has published "Lady Rose's Daughter" and "The Marriage of William Ashe." What is the teaching? In George Eliot's case, that there may be reconciliation, through personal purity, between an unjust law and an individual need. In the story of "Aurora Leigh," Mrs. Browning worked out, through Marian Earle and the Lady Waldemar, the subtle truth that a pure heart may survive the blackest physical experience and become a valuable moral force, while an impure mind, hedged

about by convention and social custom, may illustrate as debasing and as dangerous an influence as society can well encounter. And Mrs. Ward? In three of her books she has accentuated the plea that illegality in social relations does not finally soil the human spirit. In short, all these women taught that only evil persisted in and springing from tainted minds is a menace to our world, and that sin, rightly understood, is an educative force and never a final and irretrievable mistake.

Thus there is reached a situation which presents this curious contrast; on one side, the Church insisting upon indissoluble marriage, and, on the other, three moral and typically pure modern women standing for a freedom in the marriage relation which gives the individual every chance to retrieve past errors and reconstruct the personal life on a higher plane.

And even here the testimony is by no means closed. In this REVIEW for December, 1900, Mrs. E. C. Stanton said:

> "The first step to be taken in the effort to elevate home life is to make provision for the broadest possible education of women. Mrs. Thompson attributes the increasing number of divorces to the moral degeneracy of woman; whereas it is the result of higher moral perceptions as to the mother's responsibilities to the race. Woman has not heard in vain the warning voices of the prophets, ringing down through the centuries: 'The sins of the fathers shall be visited upon the children unto the third and fourth generations.' The more woman appreciates the influences in prenatal life, . . . the more divorces we shall have, until girls enter this relation with greater care and wisdom. When Naquet's divorce bill passed the French Chamber of Deputies there were three thousand divorces asked for the first year, and most of the applicants were women."

Shall any one of us venture so far as to accuse these broad-minded, clean-hearted modern women of any kinship with low moral values or imperfect spiritual conceptions? Shall we have temerity enough to even hint that this teaching can possibly be dragged down to the degrading deeps where seethe and fester the evil impulses of unbridled and licentious beings—such beings as the Church insists are always the ones who clamor for easy divorce and easier remarriage? Will statistics show that even a majority, no matter how small, of those who seek relief from the marriage bond and then marry another mate, are the men and women whose tenor of daily life is a menace to their fellow beings?

Let us add to the names of the four women just quoted those of the almost innumerable thinkers and workers in the productive field of human thought. Begin with Dante and his defence of Paolo and Francesca, and close with Richard Wagner's Tristan and Isolde. What is the unavoidable conclusion? Always this: in the development of the separate individuals who make up the sum total of any age, it is not unyielding obedience to non-unanimous law (either in Church or State), but it is the struggle to understand the power that makes for righteousness within a man, which invariably leads on towards ever higher standards of moral and spiritual living.

Is it not pertinent to ask here, where we may find the human institution—the human law—which can prove that it has actually restrained the human wrong-doer at all points? The State has had long experience, but even to-day the State cannot do better than shut the sinner behind strong bars and isolate him from his fellow men. Even at its best, the penal system is a depressing failure. To put a debtor in jail did not pay his debts, or help him to want to pay them. To shut an impressionable, emotional human being behind the bars of a cramping and irritating marriage is not to calm and curb his unstable impulses, nor yet to purify and improve his moral atmosphere.

Upon the marriage question the State takes the philosophical ground that the less she interferes the better. The State, after long centuries of experience of social evolution, reaches the decision that, when she conserves the stability of human living and protects the innocent from the impositions of the guilty, she has done her whole duty, and the individual is free to work out his own salvation upon his own peculiar lines. The State grants, therefore, the right to marry, under certain conditions; she also consents to divorce for certain causes, and considers the welfare of the family; and then she permits remarriage, as soon as divorce is legitimately obtained.

But the Church? She has a different doctrine. She has her high standards, and the world respects her for them; she has stood for some great things in the past and men honor her and thank her unceasingly; but—let us frankly admit the truth—every time the Church has been fronted with a virile, dominant, insistent human will, in spite of her laws, in spite of her punishments, in spite of all her pleadings, that undismayed individual

has forced ecclesiasticism into compliance with his (or her) will and has triumphantly won the day.

We may waive the question of Henry VIII and of Louis XII, but who does not know the story of the marriage of "Ferdinand the Catholic" to Isabella of Castile? Prescott says:

"The marriage between Ferdinand and Isabella was publicly celebrated, on the morning of the 19th of October. . . . The nuptials were solemnized in the presence of Ferdinand's grandfather, the admiral of Castile, of the archbishop of Toledo, and a multitude of persons of rank, as well as of inferior condition, amounting in all to no less than two thousand. A papal bull of dispensation was produced by the archbishop, relieving the parties from the impediment incurred by their falling within the prohibited degrees of consanguinity. This spurious document was afterwards discovered to have been devised by the old king of Aragon, Ferdinand, and the archbishop, who were deterred from applying to the court of Rome by the zeal with which it openly espoused the interests of Henry, and who knew that Isabella would never consent to a union repugnant to the canons of the established church, and one which involved such heavy ecclesiastical censures. A genuine bull of dispensation was obtained, some years later, from Sixtus the Fourth; but Isabella, whose honest mind abhorred everything like artifice, was filled with no little uneasiness and mortification at the discovery of the imposition."

In any fair mind, such facts as these may not impair the dignity of the Roman Church any farther than clever criminals, still at large in every age, may attaint the honor of their State; but they prove a significant point.

The Roman Church, as a Church, has stood for high ideals and still stands for them; but in the heart of the Church itself history finds Alexander VI, the Borgian pope, vaunting unspeakable vice even from the papal chair itself; and, during the early Renaissance, the student discovers such base practices, in the face of the finest theories, that the Reformation was a necessity to cleanse and re-create the degenerating human spirit for which the Church was but a cover, conveniently hiding indescribable moral deformity. We read of the Cardinal Richelieu that he said of himself, "I decide upon what I wish to do; I accomplish my purpose; and, when it is done, I cover it all up with my cardinal's red robe."

And in Protestant circles? Dr. McConnell writes:

"The late Professor Bruce—whose orthodoxy none will question—has left on record these strange words: 'I am disposed to think that a great

and increasing portion of the moral worth of society lies outside the Christian Church, separated from it, not by godlessness, but rather by exceptionally intense moral earnestness. Many, in fact, have left the Church in order to be Christians.' . . . No people has been converted to Christianity for nearly a thousand years. There are, no doubt, many explanations of this. But there is one which the Christian man cannot contemplate but with pain. It is that the moral ideas of men have overtaken and passed beyond and above those contained in the doctrinal presentations of Christianity."

Thus, the lay mind, perhaps even more eager for the common good of the world than the rigid ecclesiastic, turns disheartened away from complex dogmas and confusing prohibitions, and seeks comfort and hope in the certain uplift of the human spirit and the growing dream of ultimate purity.

None disputes—neither Catholic nor Protestant, and least of all "the lay brother"—none disputes the nobility, the *propriety* of monogamous marriage. Polygyny and polyandry have proven their innate weakness, even an innate viciousness, by invariably deteriorating results in human moral fibre. One man and one woman together at one time, each complementing the other's personal life, is the highest reach of sexual living, and the experience of the world has justified the insistence, in both Church and State (in all Christian communities), upon this fundamentally moral and spiritually helpful relation.

But why not rest there, and trust something, at least, to the proven tendency of man to continually elevate and refine his physical, mental, moral and spiritual condition? Why, in the twentieth century, attempt to take a step backwards and force upon a protesting civilization drastic restrictions in the way of personal living, such as were of no avail in ages when the average man was more subservient to the Church than he is to-day?

It was publicly stated, some years ago, that in the State of New York there were twenty thousand women supporting drunken husbands. Forty thousand human beings, in one single State, daily living out a low, demoralizing, debasing scheme of life on a simply destructive ethical plane! The twenty thousand husbands encouraged in their drunkenness, because sure of food and shelter at home; the twenty thousand wives slowly, but surely, undermining their own moral and spiritual values by constant and intimate association with vice and vulgarity! Nay, worse; a possible sixty or seventy or eighty or a hundred thousand children

thrust into the nation's future, every one of them inheriting the depreciated moral standards of their common parentage! It is an appalling accusation to lay at the door of indissoluble marriage, when divorce and remarriage might offer to every one of those twenty thousand women an opportunity to profit by her past pain, and so link herself to an honest, sober man who could and would encourage and develop in her her instinctive yearnings towards decency and prosperity. It is not an unthinkable thing. It has been proven often enough to give ecclesiasticism pause.

A wise critic of Robert Louis Stevenson and his philosophy wrote some time ago:

"All this we may regard as, in a sense, the present-day phase of the answer to Teufelsdröckh's question, 'What *art* thou afraid of?' And, perhaps, the age will bear it if for once we *do* leave our inveterate presupposition of man's innate corruption unregarded, and dare to let self-expression, trained as it is through a long growth of ennobling and Christianizing ideas, be large and untrammelled. It is well at least to know, if we may, that when left to his natural self, man may signify more than tobacco and gin and lust,—that there are at the bases of his nature thoroughly sound and respectable traits, after all."

Now, Robert Louis Stevenson's life was one which the Church (at least as represented in the two articles so lately printed) would unhesitatingly pronounce as illegal and unpardonable. Would such an attitude even suggest justice, when it confronted the man who, above most others in our especial day, taught to a responsive and loving generation a most beautiful and elevating ideal of personal and religious life? Orthodoxy may find weak points in George Eliot's armor, since she was an avowed agnostic; but no such charge as might impugn his religious faith and trust can be made against the writer of the Vailima Letters. Somehow, there is a ring to Stevenson's orthodoxy that reaches down to the inmost fibres of all human soul-stuff, there to awaken and quicken a thousand responsive aspirations towards actual integrity. It is not a forbidding ban frowning the sinner away from remote and only possible evil; it is a trumpet-call towards the outdoor, healthy moral atmosphere where goodness is substantial gain and cleanly living an inviting reality.

France has been alluded to several times. France, as every one knows, tried the Roman Catholic system for many years—but France, too, failed. No Anglo-Saxon is willing to admit to-day

that either French theory or French practice in the matrimonial world is the best way towards conjugal fidelity or social success in basic morality. One of her kindest critics writes:*

"If marriage is understood by an entire society not to be a contrivance to 'bind love to last forever,' the principal objection to binding marriage to last forever disappears. Every instinct of form, of propriety, of regularity, every instinct which shrinks from social disturbance counsels the permanence of marriage, which thus becomes purely an affair of reason. Family relations, property interests, children's future, the organic solidarity of communities are in this way distinctly served. It is personal morality which suffers, because society is immediately adjusted to the notion that marriage is a convention merely, and that offences against marriage appeal to the tribunal of manners rather than of morals. And not only does morality suffer, but marriage unquestionably tends to become materialized."

The theory of indissoluble marriage, then, apparently will not "work out" well in practice. The spectacle of materialized marriages and the miserable blot of prostitution, which blackens the face of all monogamous society to-day, are things with which it seems that the Church does not sufficiently concern itself.

Dr. Felix Adler, in a late address on the subject of divorce and remarriage, gave as an illustration of the evil possibilities of liberal laws the fact that one woman had been divorced and remarried no less than five times, and that at least once she was remarried and then separated a second time from her first husband. Could intelligent people think soberly of such a case as a warning against proper separations and proper reunions? For such a woman as Dr. Adler pictured there is no Church, no State, no social order, no possible human force (except absolute isolation from her kind) that could ever succeed in curbing the fundamental lawlessness of her being. She is not a type of the latter-day woman; she is a lingering remainder from the old, old days of promiscuous human living.

There is still one more point. It is a conceivable thing that two people, living strictly within the most circumscribed conventional limitations, two people legally wedded and outwardly unimpeachable, may yet express their daily lives on an absolutely low and demoralizing plane; one which is an hourly menace to every community which happens to harbor them. "It is personal

* "French Traits," by W. C. Brownell.

morality that suffers"; upon what but personal morality may any of us hope to found a respectable community, a safe promise for the future of the children of our race?

On the converse side, "to keep within the law" is by no means final proof that a man or a woman must necessarily be even a fairly moral being or an infinitesimally spiritual one. But, again, to have broken the overt law once, twice or many times is not conclusive proof of basic moral wickedness. The Church has taught insistently that any sin, repented of, may be absolutely forgiven; and it is the Magdalen who stands significantly in the Christian foreground.

Where then is our hope? Can it be in an ecclesiastical code that seeks to fasten upon thousands of virtuous men and women the fetters of indissoluble union, in order to make a vain attempt (an attempt proven to be vain) to regulate the immoral tendencies of the ever-decreasing few? Let us comfort ourselves continually, for this ever-decreasing few is a provable verity. Life heretofore has spelled progress in its unfolding centuries of experience. Why even imagine that it could spell failure in the future?

"Whom God hath joined together let no man put asunder." Every thinking soul alive willingly subscribes to that dictum. But does it need our support? Whom God hath joined together man cannot part, even if he invokes both the Church and the State to help him. But, when there is every possible evidence that God is putting two people asunder, what shall we say of the blind folly that tries to force them together?

If there is one conceivable state in our human affairs where the point at issue is overwhelmingly personal, it is in the marriage tie. As the mutual love, respect and trust of two sentient beings unfold on a plane of reasonable comfort and happiness, so their whole environment sensibly expands, develops, rises towards still higher planes of well-being for their offspring, towards still nobler issues for their contemporaries. But, if two fretted, fuming and unfortunate souls drag out hours and days and months and years in one long, unbroken antagonism, is it at all possible to evolve from such conflict, such chagrin, such despair, anything but subtle deterioration of personal morality, and ultimate and irreparable injury to their children?

More potent moral force, more active spiritual good is lost to the world through one unhappy marriage, persisted in until

death, than may be regained by a score of happy unions, all of which must be exceptionally fortunate to overcome the "dead loss," as Emerson calls it, of the structural moral fibres.

The Church agrees with the State in that she permits separations, and thereby admits that some marriages may be more wicked than any divorce. But remarriage? Is it proven in human experience that, among self-restrained and refined people, a change in close companionship is necessarily a harmful thing?

Was it against Wagner's best self to marry Cosima? Was it inimical to the character of George Lewes that he joined his life to that of George Eliot? What does Browning mean in the story of Pompilia and Caponsacchi? Until the Church answers all such questions as these, with their almost numberless companions; until she can show that, even among her own members, her practice has followed her preaching, the lay mind must refuse to accept her position as tenable; it persistently reiterates that it is the spirit that quickeneth and it is the letter that kills.

Man in the past originated government, law and religious institutions; if, then, he voluntarily organized certain forces to restrain, to govern and to stimulate his moral nature into free play, can we not trust him now to work out his future problems without the old, hard severities which time has shown to be actual mistakes?

It is in no spirit of controversy; it is with no presumptuous pride that this plea is offered here for gentler judgments of the puzzling problems in the matrimonial world; it is only with an honest desire to contribute a lay point of view towards a possible comprehension of the intrusive fact that, thus far, at least, in the development of our "intuitive morality," we have not yet arrived at certain knowledge, but we are all apparently, at our very best, only "pushing the boundaries of our ignorance out."

ELIZABETH CARPENTER.

WORLD-POLITICS.

LONDON: ST. PETERSBURG: PARIS: WASHINGTON.

London, *June, 1905.*

The arrival of a new American Ambassador always, for England, takes on something of the nature of a national event. You will have already read how the steamer which brought Mr. Whitelaw Reid to Plymouth was boarded out in the bay by the mayor of that famous port, by the President of the Southampton Chamber of Commerce, and by deputations from various commercial and mercantile associations of the locality. You will also have read the address of welcome presented to the new Ambassador and his reply thereto. But the real significance of the ceremony may for all that have escaped you. It is not to be found by studying the mere greetings interchanged nor even by weighing the cordiality of the sentiments expressed. Granting the occasion, its "note" could only be that of friendliness. The real and international significance of the ceremony lies in the fact that it should take place at all. The political ties that unite Great Britain and France are at this moment, and for many years are likely to be, closer than the political ties that unite Great Britain and America. The political ties that unite England and Japan are closer still. Yet neither the French nor the Japanese Ambassador is welcomed on his arrival with those complimentary attentions that always and almost as a matter of course mark the advent of the American Ambassador. It is nothing out of the way for the representative of a foreign Power, on his recall, to be publicly fêted in the capital of the State to which he is accredited. But for him to be greeted by officialdom and the people, on his arrival, before he has presented his credentials, before he has given any token either of his personality or of his policy—that is something unique. It is unique not only so far as England is con-

cerned, but so far as the entire world of diplomacy is concerned. The firmest Continental allies do not so honor their respective Ambassadors. The distinction, in short, is one bestowed by Great Britain alone and bestowed by her only on the representative of the United States. Need I add that its bestowal is absolutely spontaneous and unprompted. Whatever is done is the outcome of instincts and feelings that owe nothing whatever to official inspiration. All this, as it seems to me, makes a pleasant custom not only pleasanter still, but more significant. There can, indeed, be no mistaking its meaning. It is a token that the British people regard America as they regard no other country on earth; that they recognize the existence, between England and the United States, of a special relationship that does not depend for its well-being or its efficacy upon political arrangements; and that nothing appeals to them so surely as an opportunity for acknowledging this relationship, perpetuating it and perhaps expanding it. It is scarcely an exaggeration to say that in the greetings, so simple yet so unparalleled, extended to Mr. Whitelaw Reid, there was concealed a profound international fact.

As to Mr. Reid himself, London assumes that he will not fall one inch below the almost abnormally high standard of social aptitude, of eloquence, of versatility and address that all England associates with the American Embassy. The only difficulty ahead of him, as one of the great London journals has pointed out, is that he has to succeed Mr. Choate, "whose six years' Ambassadorship," says this same organ, "will always rank as one of the most brilliant and inspiring episodes in Anglo-American relations." In one sense it is impossible to succeed Mr. Choate; his "touch" was peculiar and personal to himself; and the special characteristics which he stamped upon his term of service will probably never again be reproduced. Personality counts for so much,—counts, indeed, almost for everything,—in the position of an American Ambassador at the Court of St. James's, that two strong and able men, temperamentally dissimilar, cannot possibly win the same kind of success. Each can succeed, but the degree and quality of the triumph, as well as the methods by which it is obtained, must vary with the nature and the capacity of the individual. There is, therefore, no question of "succeeding" Mr. Choate. The only question is whether Mr. Whitelaw Reid, in his own way, will be able to make an

impression which, though different, will be relatively as great as Mr. Choate made. We in England are confident that he will. We are confident because, after declaring for fifty years that no one could take the place of the Ambassador who had just left us, we have always found that his successor could and did. We are also confident because we already know Mr. Reid. As the Envoy Extraordinary from the United States at the time of Queen Victoria's Diamond Jubilee and again at King Edward's Coronation, his flexibility and social tact made everywhere a most favorable impression. We know that the cause of Anglo-American amity has always found in Mr. Reid an advocate of conviction, experience and far-reaching effectiveness. We also know that, at the critical moment of the negotiations with Spain, Mr. Reid did perhaps more than any other American to launch his country on that career of Imperialism which has the unqualified sympathy of the British people. We are, therefore, inclined to welcome him with the utmost cordiality and to expect him, if not to fill Mr. Choate's place, at any rate to make a place of his own not less resplendent.

In a recent letter to this department of the NORTH AMERICAN REVIEW I mentioned the growing interest that Englishmen were taking in the renewal of the Anglo-Japanese Agreement; and I tried to make it clear that, while public opinion had come to no definite conclusion, the drift of national sentiment was towards not merely a renewal of the Agreement, but towards its expansion —its development, in fact, into a hard and fast alliance that would guarantee, by the whole force of both Powers, the Asiatic possessions of each. This drift, since I wrote, has been greatly quickened by a speech of Lord Lansdowne's. Addressing, on June 1st, a large party gathering, the Foreign Secretary used these momentous words:

"I think I may say that at no time has there, either on the side of the Japanese Government or upon that of His Majesty's, been any question whatever of a withdrawal from that Alliance. I might venture to go a little further and to say that, in our opinion, when the time comes, as it soon must, to consider what should be done with regard to the renewal of that Agreement, the only practical question will be whether it shall be renewed in its present form, or whether we should not seek for some means of strengthening and consolidating it. That Alliance has been a potent influence for peace; and if it should prove to be possible so to modify it that it would not only prevent the spread of the con-

flagration, when the conflagration had begun, but prevent a conflagration from taking place at all, I believe that all true lovers of peace—and we are all lovers of peace in this country—would rejoice at such a consummation."

Such a declaration from such a man can only mean that British diplomacy is prepared to substitute for the present compact a more stringent Agreement — one, presumably, that would bind Great Britain and Japan to go to each other's assistance were either to be attacked, not as now by two Powers, but by one. Into the vast questions raised by such possibilities—questions that have, of course, their European as well as their Asiatic aspects—I do not now propose to enter; but I may perhaps be allowed to reproduce the well-weighed sentences in which, after a day or two's reflection, "The Times" referred to the subject:

"It is not, however, necessarily to the two contracting Powers alone that the Alliance would afford an invaluable guarantee for the preservation of their possessions and the protection of their interests in Asia. Inasmuch as it would be directed solely against any further attempts to disturb the *status quo* or to undermine the freedom of commercial intercourse in which all nations claim to be interested, we see no reason why it should provoke the antagonism or suspicions of other Powers. To the Chinese Empire it would give security against encroachment from without, and afford breathing-time for the work of internal reformation of which the Chinese themselves must sooner or later recognize the need. It would preserve the 'open door' which the United States have proclaimed to be a vital American interest. It would, in fact, be essentially a defensive pact to which all other Powers actuated by similar purposes could adhere, and it might thus become the nucleus of a pacific league which would arrest the dangerous development of international rivalries in Asia and ultimately stay the growth of the heavy burden of armaments which such rivalries inevitably bring in their train."

Nor was Lord Lansdowne less precise in his references to the Anglo-French *entente*. He declared that it had been of priceless value in "mitigating the friction and the trouble which are inevitable when a great war is in progress," and that there never was a moment when the good relations between the two countries were more firmly based than at present. In that opinion the whole of England readily and thankfully concurs. Anglo-French relations are in no sense a party question. Up to a certain point as much may, no doubt, be said for Anglo-Japanese relations. Were the Liberals, that is, to come into power to-morrow, the renewal of the Agreement of 1902 would be as assured

in their hands as in the hands of the present Government. But I question whether the Liberals would be prepared to go beyond continuing the compact on its present terms. I do not think, so far as I can judge from the tentative utterances of their leaders, that they would consider it good policy to extend its scope. They have not, at any rate, seconded the suggestion; some of their journals have even protested against it; and though possibly they would not oppose it were it to be proposed by the Conservative Government—great issues of foreign politics in this country being rarely brought to a House of Commons vote—I am under the impression they would hesitate long before proposing it themselves. But as regards France the Liberals are not one whit behind Lord Lansdowne and his colleagues. They share to the full, they may in the near future be even expected to lead, the national enthusiasm for the *entente cordiale* and for its development into a yet more intimate compact. That is a fact to which recent and future events in Morocco are bound to lend more than a little importance. The rejection of the French proposals for the reorganization of Morocco, and the Sultan's counter-proposal for an international conference on the whole Moorish question, followed by M. Delcassé's resignation, raise what is likely to prove a tense and prolonged crisis. These facts, at any rate, bring the Anglo-French Agreement to a decisive test, for I need scarcely say that the value of that Agreement will be appraised by the popular opinion of France precisely in the degree that it succeeds or fails in realizing French aims in Morocco. England is beginning to understand that and to accept its consequences. If I rightly estimate her present temper she is resolved to support France in Morocco as unreservedly as she is supporting Japan in the Far East. That implies, of course, in this Moorish entanglement, a willingness to follow France's lead and to take the cue from her. As a consequence of this copartnership both in aim and method it is extremely probable that the Sultan's proposal for an international conference will be rejected not only by France, Great Britain and Spain, but by every European Power to whom it is submitted, with the exception of Germany. The first point in the game has been scored indisputably by the Wilhelmstrasse; but with patience, with adroitness, and above all, with loyal cooperation between the Quai d'Orsay and Downing Street, the final victory ought to rest with France.

Domestic politics during the past month have continued to revolve round the Fiscal Question—not so much around its merits as a policy, as around its relation to Mr. Chamberlain and Mr. Balfour, Mr. Balfour's relation to Mr. Chamberlain, and the relation of every one and everything to the Colonial Conference which is due to meet, but probably will not be summoned, in 1906. It is useless to expect Americans to be interested in the thousand and one involved and mystifying points that are raised, debated, but somehow never answered, in the discussion of these various complexities. It is useless because even Englishmen are wearying of them and no longer pretend to fathom the connection which each may be supposed to have with the other. The whole agitation has degenerated into such a chaos of evasions, half-lights, equivocations and uncertainties that the plain British voter is frankly unable to see a yard ahead of him. He knows, indeed, what Mr. Chamberlain wants and what he advocates, for Mr. Chamberlain is always plain-spoken. Nor has he any doubt of where the Liberals stand. At times, too, he has a glimmering of Mr. Balfour's policy, but how far it is a policy complete in itself, precisely where it differs from the Chamberlain programme, precisely where it is identical with it, and whether Mr. Balfour or Mr. Chamberlain is the real leader of the Unionist party, he simply does not know. Every speech that is forthcoming from a member of the Cabinet adds something to the bewilderment, and something, too, to the universal exasperation. On May 22nd in the House of Commons that exasperation culminated in a scene that for a whole hour placed the British Parliament and the Austrian Reichsrath on the same level. In the country it finds its expression at the polls. In the first week of June two by-elections were held, one at Whitby, the other at Chichester. At Whitby a Conservative majority of 1,083 was turned into a Liberal majority of 445, and at Chichester a Conservative majority of 1,875 was reduced to 412. Altogether since the present Government came into office in 1900 there have been, in England, Scotland and Wales, 59 contested by-elections. Five years ago these 59 seats were held by 43 Conservatives and 16 Liberals; they are now held by 25 Conservatives and 34 Liberals. Since the last General Election the Liberal vote has increased 37 per cent. and the Conservative vote has decreased 2 per cent. That is the answer of the country to Ministerial "tactics."

ST. PETERSBURG, *June, 1905.*

A NEW era in international politics, and it may be in civilization, has been inaugurated by the Battle of the Sea of Japan. On few naval or land engagements of modern or ancient times have so many or such far-reaching issues hung: they included the upshot of a campaign, the fate of an Empire and the destinies of a race. For Russia the destruction of her fleet means the close of the autocratic epoch and the beginning of a reign of democracy. One-man rule is now virtually dead, while the masses are quickly awakening to a sense of their rights and duties. And the new conditions of national life are become evident to almost all: ministers, journalists, professors, merchants discern them clearly; the masses apprehend them dimly, while the few who are still blind to them are the people who will not see. And chief among these are the Tsar himself and a small band of interested and disinterested adherents.

The Autocrat, upon whose mind apparently no deep or lasting impression can be made by men or events, was hopeful and buoyant down to the very day of the naval disaster. And even now he looks with serenity upon the future of his Empire and the prospects of his house. As peace and war still depend upon his will, one cannot gauge the situation without reckoning with its manifestations. Up to the 27th of May the Tsar had put his trust in Rosjestvensky. And during the ten or fourteen days that preceded the historic encounter of the squadrons, the Autocrat spoke often and confidently of Rosjestvensky's impending victory, his only fear being lest the enemy should shrink from an encounter and hide. And in his home policy the Tsar discounted the looked-for triumph. Thus he allowed his promises to his people to be interpreted in the light of it and all the concessions he had bestowed in ukases and rescripts to be greatly restricted or wholly repealed by Government *communiqués,* ministerial circulars and other kindred documents.

One of the most significant of these promises dealt with the convocation of a representative assembly. M. de Witte had frankly said that that innovation was necessary to the dynasty and would be ruinous to the Autocracy. And Nicholas II repented of having signed the rescript almost before the ink with which he had written his name was dry. Still as the Tsar's word—like the laws of the Medes and Persians—altereth not, the letter of

the promise will be observed. But only the letter. The Emperor's heart is not in it. He knows what is good for his 140 million subjects better than they can be aware of it themselves. Three weeks ago the then Minister of the Interior, who was charged with transforming the Imperial concession into a working institution, reported progress to his Imperial master. His Majesty listened, frowned and then said: "Yes; I see you have not been idle; but you cannot expect me to praise the work. I am not in sympathy with it." M. Bulyghin bowed respectfully and added that he did not like it himself. Shortly afterwards the same Minister in conversation with a friend remarked: "I am powerless to do anything good or bad until Rosjestvensky has put force into my arm. When he has thrashed the Japs, I may act vigorously, but until then I am palsied."

A further illustration of the Tsar's pathetic hopefulness was given by the Marine Minister, Admiral Avellan. Two days before the fateful battle that official, from whom Nicholas II received daily food for hopes, allowed himself to be interviewed by a Russian journalist for the edification of the whole Russian people. He said that the one thing which people feared was that the Japanese might perhaps let the Russian fleet enter Vladivostok, might attack them with torpedo-boats and finally shut them up in the port. "But there is no likelihood of that," he added. "The epic of Port Arthur will not be repeated. Rosjestvensky is not the man to allow himself to be bottled up in a harbor. Neither shall the Japs pounce upon him unawares. He will himself, we may be sure, seek for an encounter with the foe and will endeavor after a hard-fought battle to wrest the command of the sea from them. . . . They shall be compelled to meet him whether they will or no. He has many ways of compelling them to accept battle. For example, Rosjestvensky has only to bombard a Japanese port and Togo's squadron will have no choice but to sally forth and defend it." In a word, the Minister took it for granted that the enemy would sedulously avoid Rosjestvensky, who hungered and thirsted for battle. And that was precisely the view adopted by Nicholas II and his secret advisers.

And all the Tsar's domestic policy was shaped by the belief that the Baltic Squadron would retrieve the losses sustained by Makaroff, Ukhtomsky, Kuropatkin and Rennenkampf, and that the academic concessions to liberalism wrested from the Autoc-

racy after those reverses, but not yet carried out, might then be informally revoked or at any rate disregarded. And it was only a matter of weeks or days. For the Tsar moves and has his being in the present, which he looks upon as lasting. He resembles a man on a thawing ice-floe which is fast drifting towards a warmer climate: while the ice melts and breaks around him, he is absorbed in architectural plans for building a spacious edifice on the island which he deems fixed and solid. So little does the recent past, the past of military defeats, naval disasters and moral bankruptcy, influence his modes of thought that he imperially ignores it in his schemes for the future. The extent to which Nicholas II thus disbelieves in solid fact and builds on airy fancy may be gathered from his attitude towards the district of Port Arthur and the Province of Manchuria, which he still treats as integral parts of Russia. Indeed, his paternal solicitude for those two regions is more tender now than ever before. Admiral Alexeieff is still his Viceroy, trusted and well paid, although he no longer resides at Port Arthur or Harbin, but in the Hôtel d'Europe in St. Petersburg.

During the past six months whole chancelleries have been kept busy working for the welfare of the provinces of Port Arthur and Manchuria as though there had been no battles lost on land and sea. Truly a pathetic spectacle! His Majesty first summoned General Ignatieff to advise him respecting the better government of the two provinces, and having received the reply that it might perhaps be better to wait until they were reconquered, rejoined: "Oh, that's a foregone conclusion—the question of a few months. What is important is that we be ready with a plan of reorganization. Help me to frame it." And the work which thereupon began has since been moving apace. Alexeieff's powers have been graciously extended by the Emperor, who now allows him to have four departments, one of them a diplomatic chancellery—and his Majesty is actually abolishing a Governorship in order to add to the jurisdiction of his lucky favorite. The educational system of Port Arthur is also undergoing a sweeping change, and in particular the charter, programme and staff of the school of forestry are being considerably modified. Again, two or three judges were nominated last March and two others have recently been asked for by the Minister of Justice, the request being preferred on the eve of the Battle of the Sea of Japan. And all for the weal of

the province of Port Arthur! That makes four or five judges more than were needed eighteen months ago when the Liaotung Province still belonged to Russia. The phenomenon is psychologically interesting. There is a certain analogy between it and the case of mutilated men who continue to feel pain in the limbs already amputated. But the likeness is imperfect. For probably no one has ever yet heard that such persons order boots and stockings, or baths and bandages, for the feet or arms which have been cut off and buried.

If the Tsar really meant either to grant political reform or to convoke a legislative assembly he would charge the latter body with the work of setting forth the nation's needs and making proposals to satisfy them. But in lieu of this he has let loose a plague of commissions on the land.

At the close of Plehve's régime there were four great committees: one to deal with agricultural industry, another to settle the peasants' question, a third for the reform of provincial institutions and a fourth for the affairs of the Far East. It was admitted soon after Plehve's death that these commissions were merely squandering time and money and that no public good would result from their deliberations. The needs of the country must, it was urged, be studied and satisfied by representatives of the people. But the Tsar created a vast number of commissions, among which the following have attained a certain degree of notoriety: (1) Count A. P. Ignatieff's commission to ascertain how far it would be safe to give up the system of governing Russia by martial law tempered or aggravated by administrative discretion; (2) Bulyghin's commission to prepare the ways and means for such a body of national representatives as will leave Autocracy absolutely intact; (3) Goremykin's commission on the condition of the peasantry which has succeeded that of Witte, which followed that of Plehve—all of which were abolished before they had made any changes; (4) Kobeko's commission on the needs of the press, of which the ostensible object is to make the press as free as is compatible with Autocracy, and the method is to employ commissioners of whom the majority are warm friends of repression—while these special pleaders were discussing theories, practical measures were passed against the press more stringent than ever had been adopted before; (5) Kokofftseff's commission on the Labor Question; (6) Saburoff's commission on the transforma-

tion of the Senate; (7) Timofeyeff's commission on State insurance; (8) Kutler's commission on the Income Tax; (9) Izvolsky's commission on schools; (10) Yermoloff's commission to find means for rendering the working of the educational institutions normal; (11) Roop's commission to inquire into the surrender of Port Arthur. Over and above these commissions is the Committee of Ministers whose functions are identical with those of the Ministerial Council. And last of all comes the most recent of all commissions, which Nicholas II composed of five Ministers and one Director, for the purpose of settling the land question without disturbing anybody or changing anything: the making of omelettes without the breaking of eggs.

And those are only some of the extraordinary bodies now sitting. They have on the one hand usurped the functions usually discharged by the permanent administration, and on the other they are forestalling the work of the representative chamber. And it should be borne in mind that there are many more commissions which overlap, so that no one can say where the functions of this one end and those of the other begin. Thus there are a committee for the affairs of Finland under the chairmanship of Senator Tagantseff, a commission for the settlement of the question of religious toleration and a committee for the reform of local self-government which exists but has not done anything—and very many more. Nobody for a moment believes that these commissions will elaborate any system of reform. For there is no unity of plan among them, no co-operation, nay in some cases no desire to do anything but gain time by throwing dust in the eyes of the people. If chaos prevailed under Plehve, it was worse confounded under Bulyghin, nor will order be evolved before a new spirit has moved over the face of things. And many fear lest it be a spirit of internecine strife.

Now of all those commissions the only one which has done good work is that over which M. Witte presided. It was he who framed and passed the Religious Toleration Bill, and he was on the point of getting a "peasant reform scheme" carried by his commission when it was dissolved by the Tsar at Pobiedonostseff's instigation. As soon as Witte's religious toleration act was signed by Nicholas II, 600 Uniats theretofore kept by force in the Orthodox fold hastened to re-enter the Catholic Church in the parish of Kusleff in Sedletz. Altogether in that province and the neigh-

boring one of Lublin about 26,000 persons abandoned the Orthodox Church for the Roman Communion during the past three or four weeks. But now illegal hindrances are being thrown in the way of such changes. The Catholic and Protestant clergy have been ordered to receive no more converts into their respective communities without instructions from the Government. And these are not forthcoming. In like manner a few weeks ago the Emperor published a ukase allowing the Poles to send telegrams in their own tongue. Delighted, they rushed to the offices to avail themselves of the coveted privilege—but their messages were refused. Then they complained to the authorities of St. Petersburg, who told them that Polish telegrams could be accepted only at offices where there were officials versed in that tongue, and that in most villages, towns and cities there were none. In just the same way on August 24th last year the Tsar solemnly abolished flogging, and later on publicly condemned the illegal methods of his administration and announced his determination to establish the reign of law instead. But since then the administrators have received from the Tsar himself permission still further to extend their discretionary power and suspend the operation of the laws; the police have been allowed a degree of license greater than that which they possessed under Plehve, and as for flogging, it is still systematically resorted to not only as a punishment, but also as a means of torture, to compel confessions and revelations.

And the bureaucracy cares as little for the interests of the nation as for the feelings or the dignity of individuals, or the sanctity of law. Urgent orders for the victualling of the troops are set on one side while officials smoke their cigarettes and chat with friends. About a month ago a friend of mine went to a ministry to see one of the Directors. The moment he entered the department he heard a group of officials quarrelling about an order which had arrived seventeen days previously: an order to forward at once certain supplies for the Baltic Squadron. The responsible official denied that it was on his table, affirmed that he had never received it, while another asseverated that he had duly delivered it. The written order was finally found on the responsible official's table buried under a heap of other papers. Of course the demands had not been complied with and when the act of negligence was discovered it was too late to repair it.

But now the bureaucracy with its tangle of commissions is seemingly at the end of its tether. For it has of necessity left untouched two all-important questions which are bound to solve themselves at its cost, nay at all costs; one is the status of the Jews, who alone of all religions and races have not profited by any of the various measures of relief introduced since Plehve's death, and the other is the condition of the peasantry. The Jews, indeed, have not only had no surcease of sorrow and persecution, but they have been subjected to a series of ruinous attacks and sanguinary massacres deliberately prearranged by the agents of the Government, which afterwards calumniated them and endeavored to make it appear that they were the aggressors. Even a moderate Anti-Semite would be horrified by the sickening details of the clubbing and hacking to death of people who wanted only to live and let live. M. Witte was anxious to solve once for all the problem of the Russian Jews, beset though it be with difficulties. And he would have settled it as it is settled in the United States, on the basis of equal rights to all. But none of his colleagues had the courage to face the task and they all knew that the Government would veto every reasonable proposal they might make. And so the Jews were left unemancipated, while Calmucks, Kirghizes, Chuvashes and all the other wild and uncivilized tribes in the Empire received the same rights as Russians possessed. And the Jews must be angels or brutes to remain inactive while a weak and tottering government desires that they shall continue to subsist as helots.

The other section of the population whose attitude may prove decisive is the peasantry. The Russian mujiks are treated regularly as tax-paying machines and exceptionally as human beings. They have no rights, and whenever the Tsar bestows upon them any privilege it is forthwith taken away by the official known as "land chief," who stands toward the peasant *in loco parentis,* for the Russian mujik is always an infant in the eyes of the State. Now the tillers of the soil in the Tsardom are generally ignorant and superstitious. They cannot, therefore, be expected to know the *pros* and *cons* of political questions. They have far too little land to pay the heavy taxes and support themselves. Therefore an addition to the size of their farms is the one thing necessary and that is possible only if the crown and the imperial lands and even a portion of private landed property be sold to the

peasants at moderate rates and with the assistance of banks which are not bent on earning money. And this the whole reform party is pledged to grant, whereas the Tsar in one of his latest ukases expressly refused to encourage hopes of any such relief. For that reason, if for no other, it is likely that the bulk of the peasantry, if they can be got to understand the issues and to believe the assurances of the Liberals, will make common cause with the reform party to obtain their ends. But it is perhaps still more probable that they will simply seize on private property without joining either side.

PARIS, *June, 1905.*

THE French have had some reason lately for being roused from their usual apathy with respect to foreign politics. At no period since the critical early years of the Republic has the press been compelled to turn so anxious an ear to rumors from the outside, and at the same time has been so unanimous in laughing all probabilities of war to scorn, a sure sign of uneasiness of mind.

The fluctuations were of startling suddenness. Until late in March a universal calm seemed to prevail in Europe, and, even in the Far East, there was good hope of some agreement being come to by the belligerents. The *entente cordiale* between England and France had just removed all likelihood of friction in Morocco and Egypt; the shocking state of affairs in Russia had cooled even the hottest champions of an exclusive alliance with the Tsar; General Porter was bringing to an end a most successful embassy and preparing the expressions of good feeling we heard last month from himself and from MM. Rouvier and Delcassé, which were so natural that no trace of the diplomatic accent could be detected in them; Spain had adhered to the Moroccan agreement, and Italy still under the favorable impression left by M. Loubet's visit to Rome was pursuing with perfect good-will peaceful negotiations in Abyssinia.

Germany herself had never been so friendly. She unhesitatingly offered to substitute her financiers for ours when the sixth Russian loan was meeting with nothing but distrust in Paris. She gave, through the Emperor himself, the most solemn assertion of her peaceful dispositions. While the seven years' policy of M. Delcassé had ignored her in the series of international conventions

concluded by France, she only seemed willing to enter into what eventually might become an alliance.

Who will account for the unexpected change that took place in the Emperor's attitude? It is well known that there exists in Germany a strong party the ruling idea of which is that their country throve by war and can only remain prosperous by war. On the other hand the Emperor is described as mobile and easily swayed. But the reasons of his change, while political circumstances remained exactly the same, must be forever mysterious. The difficulties of French action in Morocco were only growing more visible, in spite of the good-will of England and Spain, when the Emperor substituted threatening language for his calm utterances of the month before—choosing, too, for the delivery of his new feelings a place close to our frontier—and betook himself to Tangier with a deliberation that would have left no room for doubt, even if his speech had not been more to the point than the addresses of monarchs usually are. On his return there ensued, between the French and German papers, one of those brisk conversations which are a form—safe enough in some respects—of modern diplomatic intercourse, the German press complaining in sour language that the Wilhelmstrasse had been left out of the Morocco arrangement, the "*Matin*" replying that there was a French ambassador in Berlin who was ready with the necessary explanations. In the mean time actual preparations for war were being made on both sides of the frontier, and are still carried on at the present moment, though the French and German ambassadors at Fez are apparently on the best of terms, and the visit of the King of Spain to Paris has afforded a powerful diversion.

It is needless to try and describe the feelings of what one is wont to call "the country" at the possibility of a war with Germany. One of the chief causes of the popularity of the Republican Government has been its aversion to war, its calmness at critical junctures when the pride of a monarch would have been likely to bring about a conflagration. The recollections of 1870 are still too fresh to render a war popular unless the national dignity were evidently disregarded. In Parliament, in the press and in political circles the case may be somewhat different. English and French interests being at the present moment on the same side, and Germany in the way of both nations, it cannot be doubted that the advisability of accepting the contest was seriously considered

in the upper circles of French opinion. An ex-minister, M. Boucher, expressed his belief that war was inevitable. A similar speech was circulated as coming from no less a person than General Brugère, the commander-in-chief of all the French troops. One evening of the second week of May the editor of an old and powerful paper, whose opinion carries great weight, counted as many as seven members of the Cabinet who, he knew for certain, were inclined towards a declaration of war.

But all this lies more or less in the region of conjecture. One fact stands out clearly, viz., the view taken by the Chamber of the Tangier incident; and to the currents of opinion visible in Parliament on that occasion we ought to give serious attention.

M. Delcassé's opponents were of two different classes, and belonged to two different parties: on the one side the Nationalists, on the other the Socialists. The former attacked the Foreign Minister through narrow-mindedness, through an excess of diffidence, above all through the instinct infallibly impelling them to attack and snap at random. The former sided against him under a misconceived idea of broad-mindedness which, beyond certain limits, is not easily distinguished from a mild form of lunacy. The Nationalist sticks above all to the national prejudices which he mistakes for national glory. He is a born enemy of England, has not forgotten one detail of the Hundred Years' War, and scents a snare wherever he sees Albion's hand. One of his sorest grievances is the memory of the expedition to Egypt, and he seldom fails to hint that M. de Freycinet had been sold to England. Fashoda is another tender point which he can no more suffer to hear mentioned than to see forgotten. In such a mental disposition the final cession of Egypt by the recent Anglo-French agreement must have appeared an act of treason, and the English countenance of our action in Morocco was sure to be construed as a stratagem to get France into a scrape. The Nationalists in their press and in the Chamber always describe Morocco as a nest of hidden difficulties with nothing to repay the trouble of meeting them. They do not notice that the language they use with regard to the advisability of occupying Morocco is exactly the same that induced M. de Freycinet to recall our men-of-war from Alexandria, and the Nationalists of to-morrow would certainly abuse M. Delcassé if he listened to the Nationalists of to-day. In the mean time the expectant attitude of the Moorish

Government between M. von Tattenbach and M. Saint-René-Tallandier confirmed them in the conviction that we have given up the real thing for the shadow.

The Socialists take quite a different view of the matter. Before stating it I would point out an important particular. For six years the Socialist party was part of the Bloc, that is to say of the majority, and carefully forbore from opposing either M. Waldeck-Rousseau or M. Combes because the two Premiers were carrying out an anticlerical policy which was nearer to their hearts than anything else. In those days I saw many an intelligent foreigner mistake their attitude for real wisdom and judge them by a man of the stamp, for instance, of Mr. John Burns. The event alone proves that their nature was still the same, and that they had never ceased, while making use of the *bourgeois*, to hate and despise them. The moment M. Rouvier took office they were once more threatening and sneering on their benches.

Of all the members of the new Cabinet, M. Delcassé is the most objectionable in their eyes. The reasons of their dislike to him are manifold. In the first place they think him too personal for a democratic functionary. M. Delcassé has now been more than seven years in office. Apart from the first days of his Ministry when he had to arrange the Fashoda incident he managed to work at the same time so quietly and successfully that nobody had occasion to object to anything he was doing. So he was, for seven years, practically left to himself. The country had no reason to regret it, but the Socialists do not act upon the same principles as the country, and they object to anybody doing anything by himself. They want the servants of democracy to give a full account of themselves to democracy, and that is exactly what a Foreign Minister cannot and must not do. M. Delcassé, who is a Southerner by birth and, in private life, a man of quick spirit and lively speech, is in Parliament the most guarded of orators. He has succeeded many a time in putting off dangerous questions by summoning the discontented deputy and giving him private explanations. When he has to address the Chamber he writes what he wishes to say to the last word, and is seldom induced to add one syllable that had not been carefully weighed beforehand.

Besides this more general grievance they have another more definite. The Socialists are a great deal more touchy when Ger-

many is in question than when it is their own country, or, as one of them put it quite recently, when the tyrant called fatherland is at issue.

Germany is dear to the Socialists for two reasons. They look upon the country of Marx and Bebel as the land of election of their theories, the one in which the coalition of the brain and the hand, of the Marburg thinker and the Gladbach laborer, is most likely to bring about the subversion of the old order of things and the establishment of the new. In the second place, they know that whenever hostility against Germany reappears it takes the shape of the Alsatian claims, and these claims are, in their theories, the very embodiment of barbarism. In this connection, M. Delcassé is their *bête noire.* In 1870, a very poor usher in a provincial school, he came to Paris and became a journalist under the pressure of the Franco-German war. A writer in Gambetta's paper, the "*République Française,*" and to this day a devout admirer of the Tribune, he is one of those for whom the question of Alsace-Lorraine must ever be open. But, conformably with his master's speech "always think, never speak of it," he never mentions either the lost provinces or their conqueror. It is wonderful that he should have managed during his seven years' office never once to name Germany in the Chamber. It was this very circumstance that the Socialists, through M. de Pressensé, turned against him with a violence by which he seems to have been staggered. Strangely enough this self-possessed man was discomposed by the very clamors he ought to have expected the most, offered his resignation, and let the Premier repeatedly address the Chamber in his place.

Is there some secret reason for a despondency which lasted some time, and ought we to believe that M. Rouvier hurt his colleague's feelings by insisting on too minute an account of the Moroccan transactions? One feels almost inclined to believe it. Under the two last Cabinets the Socialist vote decided the fate of the Government. The new majority having annexed moderate elements, the Socialists are only an obstreperous set, and their opposition can hardly account for the evident discontent of a man who had never been known to lose either his head or his temper.

But it is useless to speculate on the unknown causes of doubtful effects. Suffice it to say that M. Delcassé was backed by

a very large majority when the support thus given him meant much more than a mere platonic demonstration.

M. Delcassé was hardly freed from his anxieties on our Eastern frontier, and King Edward's visit had only just proved that the uncle's views were widely different from those of the nephew, when the question of international neutrality threatened to come most unfortunately between England and France. This difficulty following immediately on the King's visit, when the Parisians had felt once more that no monarch is as much at home over here as Edward VII, was seen on both sides with a displeasure which boded its speedy settlement. But here once more, while the Nationalists themselves supported M. Delcassé, our Socialists thought it advisable to make the Minister's position more uncomfortable than it already was. What had happened off the coasts of Madagascar and Indo-China has never been known for certain. The poor defence of the Russian squadrons at Tsushima and the Liancourt-Rocks would induce one to suppose that they could hardly have reached their far-off destination without some friendly assistance. How far could such assistance be thought permissible in view of the Franco-Russian alliance and of the French rules of neutrality will be stated by somebody more expert than the writer. Suffice it to say that Mr. Balfour and even M. Motono, the Japanese minister in Paris, were sooner satisfied with M. Delcassé's explanations than the Socialists, whose mouthpiece, M. de Pressensé, did his best to demonstrate that the French agents had been inexcusably in the wrong. The reason of this excessive nicety does not lie, of course, in any special sympathy for England, nor in a sympathy with Japan. It can be accounted for only by their dislike—natural enough—of Russia, and by their ill-will against M. Delcassé.

The Russian disaster at Tsushima has only made the situation of the Minister more difficult. The Nationalist press which had backed him while the danger was imminent, now lays at his door the responsibility of another danger in the near future. The "*Eclair*" and the papers of the same shade seem to be hypnotized by the unexpected rise of the Yellow Race, and inveigh against a policy which makes us subservient to their plans. Between their hatred of Germany—striving to thwart all our efforts in Morocco—and their dread of seeing a Japanese squadron threaten Indo-China, they forget one of the great dogmas of Nationalism

and advocate a reconciliation with the Kaiser. They insist that the naval forces of Germany are indispensable to us if we want to keep up our situation in the Far East, and speak with disgust of the *entente cordiale* as of a dupery. They are sure that within a few years England will be compelled to attempt the complete destruction of the German fleet and contend that we shall be losers by it, as the Japanese will have more elbow-room, and are in the mood for availing themselves of it. Consequently they advocate the continuation of the Russo-Japanese war by the method of "victorious retreat," and the endless putting off of the moment when Russia ought to pay the war indemnity without which Japan will find herself exhausted before long.

This seems a very short-sighted view. Why should France be a loser in a war which weakened Germany? Why should England go beyond the limits of her treaty with Japan, and increase a power which possible misunderstandings may turn against herself? And last and above all, why stick with unintelligent obstinacy to the crude idea that the Yellow Race ought to be altogether left out of the European concert because they are yellow? To go on treating the Japanese as barbarians is the acme of stupidity. And to imagine that their interest lies solely in an alliance with China is childish. That they have to think mostly of Asiatic Powers is evident—though the globe is much smaller than it used to be—but England is an Asiatic Power, and so is Russia, and who knows that in ten years Japan may not find herself nearer Russia than to any other Power? The Nationalists would be right if the European balance of power were the only thing to consider, but the gradual interference of Russia in European affairs, the increase of the military power of the United States and the wonderfully rapid civilizing of Japan, have substituted a world equilibrium instead. This primary political truth M. Delcassé had the misfortune of realizing too long before a large section of the press of this country. He may have to suffer for it, but then France will be a sufferer too.

There would be too much to say, if I wanted to give a fair account of our home politics in the last two months, especially if I endeavored fully to describe the slow progress of Disestablishment. Only six clauses of the Bill—which consists of over fifty—have been passed in a three months' debate, and it grows doubtful whether the Chamber will succeed in despatching the rest within

the few weeks of the summer session. The clauses discussed so far concerned the disposal of Church property. It would appear at first sight that this property should go entirely, after the separation of Church and State, to its present and—to all intents and purposes—legitimate owners. But, in this country where political hair-splitters are always talking about liberty, matters are never arranged so simply. Supposing schisms to make their appearance in the Roman Catholic Church—the Radical orators argue—why should the law provide that the schismatic bodies shall have no claim to part of the property? If it did, would not religious liberty be disregarded? This reasoning had appeared futile to all the Chamber before Easter, and even M. Jaurés and M. Briand had branded it as a hypocritical way of depriving the Church of what is her own. During the Easter holidays a long and interesting controversy between M. Jaurés and M. Clémenceau disengaged from the clouds which had so far obscured it the principle that Disestablishment was desirable, not to return to Church and State their freedom with regard to each other, but merely to dispense the State from parting any longer with the eight million dollars' indemnity it paid annually to the Church. Consequently, as money is another word for independence, the first step to take was to reduce Church property as much as possible. On this principle the majority—without any interference on the part of M. Rouvier, who tolerates the policy of separation but does not care for it—has acted since the Easter recess, but, sitting after sitting, the indefatigable orator, M. Ribot, compels them to own they are continually belying their dearest theories, and the difficulty they find in dividing quibbles greatly retards the progress of the Bill.

P. S.—The resignation of M. Delcassé, which had been spoken of for a few hours as a necessity, is now a fact. The Minister was compelled to take this step by M. Rouvier and all the members of the Cabinet.

The Socialist and Nationalist papers exult. One of the latter puts the matter in a nutshell in the following terms: "Breaking with England means peace, with Germany it means war." I need not add anything to this statement.

It is a melancholy truth that M. Delcassé has been sacrificed to Germany.

WASHINGTON, *June, 1905.*

OWING largely to the fact that Mr. Roosevelt's original intention to convoke the Fifty-ninth Congress in extra session is understood to have been abandoned definitely, public attention at the Federal capital has been diverted temporarily from internal affairs and concentrated on the President's foreign policy. Named in the order of their importance, the questions brought into the foreground of discussion since Mr. Roosevelt's return from his recreative tour and his resumption of the helm of administration, are the outcome of his well-conceived attempt to prevail upon the parties to the Far-Eastern War to enter into direct negotiations with a view to a speedy termination of the conflict; the decision at which the President may arrive with reference to the participation of the United States in the international conference proposed by the Sultan of Morocco; the response likely to be made to the petition of many Norwegian citizens of this republic that the independence of Norway may be officially recognized; and the course that may be taken to allay the resentment evinced in China at the offensively rigorous enforcement of the provisions of the Chinese Exclusion Act by American functionaries at ports of entry. There is, no doubt, a distinction to be drawn between what is technically known as a tender of good offices and the disinterested suggestion made by our Chief Magistrate, in the capacity of an impartial friend of both combatants, to the Foreign Offices of Tokio and St. Petersburg. During the war of the United States with Spain, it will be remembered that the French Republic proposed to employ its good offices for the arrangement of a peace, and that the proposal was accepted by the Madrid Government. In pursuance thereof, M. Jules Cambon, the French Ambassador at Washington, drew up, in conjunction with our Secretary of State, a protocol which formed the basis of the treaty subsequently concluded at Paris. Nothing of the kind was suggested in this instance by Mr. Roosevelt, and it is questionable whether, even if requested, he would have consented to assume the rôle of mediator, much less that of negotiator on behalf of one of the belligerents. All he did was to seize the opportunity, apparently afforded by the destruction of Rosjestvensky's fleet, to inform simultaneously and courteously both parties to the war that, in his judgment, it was for the interest of neutral Powers and of the civilized world that representatives of the belligerents

should meet in conference, for the purpose of learning whether a further waste of blood and treasure might not be averted. Only with reference to the purely preliminary business of designating the time and place at which the conference might be held did he signify a willingness to officiate as an intermediary. The impartial good-will of such a demonstration could scarcely fail to be recognized, and recognition was not stinted so far as the conventional tenor of the replies was concerned. Although Japan, as the Power which, during the pending contest, has never encountered a reverse, might properly enough have answered that she is now, and always has been, ready to entertain a direct application for peace on the part of her opponent, the Tokio Government expressed to Mr. Roosevelt a keen appreciation of the benevolence of his motives, and assured him of its readiness to depute agents to confer with representatives of the Tsar, whenever it should have reason to believe that the St. Petersburg Government was sincerely desirous of bringing the war to a close. The Mikado would consent, it was added, to appoint plenipotentiaries to that end. The Russian response, however, was less straightforward and unequivocal, if we may judge from the account of it officially published in St. Petersburg by Count Lamsdorff, the Minister for Foreign Affairs. Russia's consent to negotiate was conditioned, it seems, on her being convinced that peace was wished for by Japan, and the description of the former Power's negotiators as "plenipotentiaries" was qualified by the statement that they would not be authorized in advance to accept any proposal, but would simply be empowered to transmit Japan's suggestions for the gracious approval of the Tsar. This assumption of a high and mighty attitude on the part of a Government which, far from having been victorious, had been uniformly beaten, must have savored strongly of the ridiculous at Tokio, and the notion that an armistice would be granted in consideration of such ambiguous and inconclusive assurances was, of course, dismissed as inadmissible. Once burnt, twice shy. Credulity would be stupidity, in view of the ample experience of the shifty, double-faced and perfidious character of Russian diplomacy, acquired, not only by Japan, but by the United States, during the disillusionizing months which preceded the outbreak of hostilities. Apparently, the Grand-Ducal coterie, which still dominates the weak and vacillating Tsar, will have to be pulled from its high

horse, and have the consciousness of its military impotence driven home to it before anything like an honest and adequate promise can be wrung from it.

Those observers, therefore, who are accustomed to forecast the future by the past, and who did not look for any speedy exhibition of common sense by the Russian reactionists, were sceptical as to the outcome of Mr. Roosevelt's well-meant appeal, until the sudden retirement of M. Delcassé, followed as it was by the accession of Premier Rouvier to the control of the French Foreign Office, brought to the surface a factor the weight of which was certain to be felt in the Tsar's inmost councils. In the most stolid and thick-headed of Grand Dukes, there is one keenly sensitive fibre, to wit, his money-nerve, and no one is so well qualified to touch it with electrifying effect as the practical head of the nation which, for a decade, has been Russia's almoner. When M. Rouvier let it be known that France was tired of playing the fool, and that, henceforth, her relations with the Tsar would be placed on a business footing, the Grand-Ducal practitioners of Muscovite bounce and buncombe were brought up with a round turn. If you want to dance any longer, M. Rouvier said in effect, it must be along the line of the Vistula, and not south of the Amur. We are tired of paying the piper for an ally who is fast sinking into impotence for an ally's service. If you wish for any more cash from France, bring what troops you have left under Linievitch back with all possible promptitude to the German frontier, and help us to restrain the German Kaiser, who is taking advantage of your willingness to exhaust your strength in Eastern Asia to upset our plans in Morocco to-day, and who may deal us a worse blow to-morrow. *There* is the force that really lies behind Mr. Roosevelt's suggestion, and there could be no greater mistake than to attribute the Tsar's unexpected tractability to the secret counsels of the German Emperor, who can have no possible interest in seeing Russia recover a fraction of her former influence in Continental Europe. To sum up the situation as it looks at the hour when we write, Russia, constrained by the knowledge that her paymaster means to tighten the purse-strings, may ultimately yield to the *vis major,* and accept such conditions of peace as Japan may see fit to dictate. Whether those terms are severe or relatively moderate will perhaps depend in large measure on the assurance that Japan may receive of England's disposition to

transform her present carefully restricted league with Japan into an intimate offensive and defensive alliance. Such an alliance the Mikado's Government would be justified in regarding as a guarantee of the security of its new-won possessions on the Asiatic mainland, and it could consequently afford to permit the House of Romanoff to "save its face." That Russia will be obliged to pay a pecuniary indemnity may, however, be taken for granted, though it may fall materially short of the billion dollars lately spoken of at Tokio in semiofficial quarters. Much depends, nevertheless, on Russia's avoidance of unnecessary delay at this critical conjuncture. If she waits until the army under Linievitch has been pulverized or rendered almost useless, her alliance will cease to be of any tangible value to France, her chance of extracting any more money from Paris will vanish, and it would become a matter of vital moment to French statesmen to arrive quickly at a permanent understanding with the German Emperor. On the other hand, it would pay France well to lend Russia half a billion dollars to insure the prompt conclusion of peace, and thus render possible the immediate transfer of Linievitch's army from Manchuria to Russian Poland.

The position that Mr. Roosevelt may deem it expedient to take with reference to the question of Morocco depends obviously to some extent on the solution of the problem presented in the Far East. It is true that our commercial interest in the Shereefian dominions is actually insignificant, but that a prospective expansion of it was contemplated by our State Department is a fair inference from the fact that the United States were represented in the international conference held at Madrid in July, 1880, with regard to Morocco's exterior relations. The signatories of the treaty then concluded comprehended, besides the United States, Great Britain, France, Spain, Portugal, Italy, Germany, Austria, Belgium, the Netherlands, Denmark and Sweden and Norway. It is true that the primary object of the treaty was to protect the lives and property of foreigners in Morocco, but the compact contained a clause declaring that the Shereef conceded to every one of the Powers represented in the Madrid conference the right to the treatment of the "most favored nation." Now, there is no doubt that the recent treaty between France and Great Britain, to which Italy and Spain subsequently acceded, although it is understood to have assured to every Power represented in

the Madrid conference equality of commercial privilege for *thirty years,* did seem to contemplate the ultimate assertion by France of a protectorate over the Shereefian possessions similar to that now exercised by Great Britain in Egypt, if not formally equivalent to the French absorption of Tunis. There is no doubt, therefore, that Count, now Prince, von Bülow was technically justified in advising his imperial master that the new Anglo-French agreement was not permanently reconcilable with the compact entered into at Madrid in 1880. Whether Emperor William will deem it worth while to insist that the Anglo-French agreement, by which a tutelary function in Morocco is conceded to France, shall be reviewed at the international conference, to which Sultan Mulai Abdul Aziz has invited all the Powers ostensibly concerned, is, as we have said, a question unlikely to be settled until the outcome of the effort to bring about peace in Eastern Asia is definitely known. Meanwhile Great Britain has refused, while Germany has accepted, the Sultan's invitation. What answer Mr. Roosevelt will return has not been announced, and we find it hard to believe that it has yet been resolved upon. Our present Chief Magistrate is too thoroughly conversant with the European situation to imagine that the naval preponderance of France and England over Germany would necessarily render abortive any endeavor on the part of William II to set aside the Anglo-French arrangement with relation to Morocco. If Russia is to be condemned by Grand-Ducal folly to bleed to death on the coast of the Pacific, the immense superiority of Germany's army to any other land force collectible against her in Europe would enable her to solve the problem of Morocco inside of the French frontier.

We have said that the President has been requested by Norwegian citizens of the United States to recognize the independence declared by the Storthing, or Parliament, of Norway. When we recall how slow we were to acknowledge the right to self-government even of those Spanish-American commonwealths which had made good their rebellion against Spain, we must see that it might be deemed officious if, by a hasty acknowledgment of Norwegian independence, we should seem to anticipate the action of Powers far more deeply interested in the matter, such Powers, for example, as Russia, which would like an ice-free port on the Norwegian coast; as Germany, which would look upon a

united Scandinavia as a rampart against the westward trend of Muscovite ambition; and especially as Denmark, which has a prospect of giving a sovereign to independent Norway. There are other considerations which, naturally, would have a good deal of weight with Mr. Roosevelt. In view of the deplorable past, and with an eye to a conceivable, though, happily, improbable, future, the United States cannot afford to countenance the principle of secession. Neither would it be consistent for us to assume the rôle of encouraging or sanctioning political changes in Europe, seeing that we sternly forbid European Powers to foment or ratify political mutations in the Western Hemisphere. On the whole, we opine that Norway had better apply to Copenhagen, to Berlin, to London, or even to Stockholm before addressing itself to Washington for recognition. We may some day have troubles nearer home in Latin America, and it would scarcely be discreet or foresighted for Mr. Roosevelt to establish a precedent that might plague us.

No one who had the advantage of conversation with Mr. Wu Ting Fang, lately Chinese Minister at Washington, can be at a loss to understand the indignation expressed by Chinese merchants, students, travellers and literary men at the humiliation to which for years they have been subjected when seeking admission to this country. As long, however, as the complaints were confined for the most part to the Chinese literary class, the shoe did not pinch American business men. The case is otherwise, now that the commercial guilds of China have threatened to attest their resentment of our treatment of their fellow countrymen by boycotting American-made goods. Forthwith, American manufacturers and exporters experienced a change of heart, and on June 11 a delegation of the American Asiatic Association called at the White House to protest against the indiscriminate and exasperating enforcement of the Chinese Exclusion Law. We are glad to chronicle that, in a letter to Secretary Metcalf, of the Department of Commerce and Labor, the President promptly ordered him to see to it that from this time forward the immigration officers at our various ports of entry exercise more discretion than they have been accustomed to do in the application of the exclusion law, to the end that our relations with the Chinese Empire may retain the cordiality to which on many grounds we are entitled.

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HANNIS TAYLOR,

who is recognized throughout the world as one of the most eminent living authorities on constitutional history and constitutional law, was born in New Berne, North Carolina, fifty years ago. Having graduated at the University of his native State, he was admitted to the bar and achieved great distinction in the practice of his profession. He was appointed Minister to Spain by President Cleveland in 1893. The wide literary fame gained for Mr. Taylor by his great work on "The Origin and Growth of the English Constitution" was materially enhanced by his treatise on "International Public Law," which has been declared by a high authority to be "the most exhaustive work of its kind issued in this country since Dana's Wheaton." In recognition of the service which he had rendered to literature and learning by the publication of these works, the Universities of Dublin and Edinburgh conferred upon Mr. Taylor last year the honorary degree of LL.D. He has just published a third treatise, of a like scholarly and comprehensive character, on the "Jurisdiction and Procedure of the United States Supreme Court" upon which the Justices of that court have put the imprimatur of their high approval and commendation." Mr. Taylor represented the United States before the Alaskan Boundary Commission.

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entered the German Navy, as Cadet, in 1885. He went through a course of study at the Marine Academy, and had the regular training of a naval officer, being chiefly employed in the torpedo service. In the spring of 1901, he was promoted to the Headquarters of the Admiralty Staff in Berlin, where he has been engaged in the investigation of Naval Law in War time. Commander von Uslar, who has been decorated with the Order of the Red Eagle, 4th class, and is the possessor of many other Prussian and foreign Orders, is well known in the German Navy as the author of several excellent works on manœuvres at sea and on strategic and tactical questions.

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graduated from Vassar College in 1886 and obtained the degree of Ph.D. from Yale in 1898; she also studied abroad at Oxford and Zürich. Since 1889, Miss Sherwood has been an instructor in Wellesley College, and since 1898 Associate Professor of English Literature. She has contributed frequently to the magazines, and published a number of books, including "An Experiment in Altruism," "A Puritan Bohemia," "Dryden's Dramatic Theory and Practice," "Henry Worthington, Idealist" and "Daphne." A story from her pen, entitled "The Coming of the Tide," is now appearing in "The Atlantic Monthly."

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NATIONAL MARITIME RIGHTS AND RESPONSIBILITIES IN TIME OF WAR.

BY HANNIS TAYLOR, LL.D. (EDIN. AND DUB.); LIEUTENANT CARLYON BELLAIRS, R.N.; CHARLES DUPUIS; AND COMMANDER VON USLAR, OF THE IMPERIAL GERMAN NAVY.

I.—AN AMERICAN VIEW.

THE Editor of the REVIEW has requested me to define, within narrow limits, national maritime rights and responsibilities in time of war, with special reference to the principles recognized and the practice followed in that regard by the Government of the United States. To that subject-matter the war now in progress between Russia and Japan has imparted a renewed interest, not simply because of the present importance of the principles underlying such rights and responsibilities, but because the statesmen and publicists of the world are looking forward eagerly to a Conference to be held in the near future, in which they are sure to be made the subject of a searching reexamination. The Hague Conference of 1889, among its pious wishes, recorded in its Final Act the following: "The Conference desires that the question of the rights and duties of neutrals may be entered on the programme of a Conference to be held at an early date." It is quite certain from the circular of invitation issued October 21st, 1904, by the late Mr. Hay,—loved and lamented by all of his

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countrymen, regardless of section or party,—that the main business of the next Conference thus suggested by President Roosevelt will be to deal with the rights and duties of neutrals, in view of the statement that "other phases of the general subject were left [by the Hague Conference] to discussion by another Conference in the near future, such as questions affecting the rights and duties of neutrals, the inviolability of private property in naval warfare, and the bombardment of ports, towns and villages by a naval force."

It is to be hoped that the time is near at hand when success shall crown at last the long and persistent effort of certain states to exempt all private property, not contraband, from capture at sea. While evidence of preceding attempts in the same direction are to be found, the most definite early enunciation of the principle occurs in the American-Prussian treaty of 1785, in which Frederick II and Franklin attempted to establish for their respective countries a rule which has not been generally observed even in subsequent treaties between such countries. In 1823, Secretary-of-State Adams tried to induce England, France and Russia to adopt it; and, in 1856, Mr. Marcy urged the Powers to incorporate it in the Declaration of Paris along with the abolition of privateering. When, in 1859, the Bremen Chamber of Commerce declared that the exemption in question is demanded by the legal conscience of the age, it gave expression to the spirit in which the freedom of commerce should be advocated, a spirit firmly upheld by the United States in its consistent efforts to give permanent and final effect to Franklin's initiative. As it is now even beyond the power of the fleets of Great Britain to guard her world-wide commerce, Hall, one of her greatest publicists, has thus contended:

"I endeavored to show that there are strong reasons for doubting whether England is prudent in adhering to the existing rule of law with respect to the capture of private property at sea. The reasons which were then urged have grown stronger with each succeeding year, and the dangers to which the practice would expose the country are at length fully recognized. That there is not a proportionately active wish for the adoption of a different rule is, perhaps, to be attributed to a doubt as to what the action of foreign Powers would be under the temptation of a war with England."

If in the coming Conference such "foreign Powers" would only give to England a formal assurance upon this all-important

subject, she should no longer hesitate to give her adhesion, which would remove the last obstacle to a great consummation.

During the present war, there has been no notable disregard of those restrictions upon the free action of a neutral state whereby it is bound not to supply armed forces to a belligerent, not to grant passage to such forces, and not to sell him ships or munitions of war, even when the sale takes place in the ordinary course of getting rid of superfluous or obsolete material. It seems to be true that the Congress of Chile refused to accept a very high price offered for six war-ships, when it appeared that they were intended for either Russia or Japan; and there is no reason to suppose that Germany would have permitted the Russian fleet to pass through the Kiel Canal if such a thing had been attempted. Even belligerent war-ships may have free passage, of course, through the Suez Canal under the special guarantee contained in the Convention of 1888. A question has, however, been raised by the sale of certain German liners to Russia, by reason of the fact that, after rechristening them, Russia commissioned them as armed cruisers. The objection rests upon the assumption that such vessels were, because of certain subsidies, practically a part of the German navy. The aid given the crew of the "Variag," when that vessel was destroyed last year in the harbor of Chemulpo, has revived discussion as to the supposed neutral duty not to rescue drowning crews of a belligerent war-ship. It may still be claimed that the crew are not bound to sink with the ship. Lord Russell promptly rejected Mr. Seward's contention that it was the right of the "Kearsarge" to claim the advantage that would have resulted from the lawful destruction of the crew of the "Alabama." And yet the Conference might well consider a rule providing that the government to which the rescuers belong shall take care that their charitable interference does not enable the rescued to render further service in the war.

It is the duty of a neutral state not only to prevent hostilities in neutral territory, but to prevent the use of such territory as a base for certain unlawful operations. The non-fulfilment of the first duty was the ground of complaint in the long controversy between Portugal and the United States with reference to the "General Armstrong," an American privateer, attacked, during the war of 1812, while at anchor in the Portuguese harbor of Fayal, by a British squadron. When the demand of the United

States, based upon the assumption that the Portuguese governor had failed to discharge his duty as a neutral, was finally submitted to the arbitration of Louis Napoleon, then President of the French Republic, his award refused indemnification, because the privateer, instead of demanding protection from the Portuguese authorities, elected to resist by battle the unjust British assault. He held that the privateer should have applied "from the beginning for the intervention of the neutral sovereign." But suppose that the neutral sovereign is either unable or unwilling so to demean itself as to be entitled to have its neutrality thus respected, as was the case when the "Variag" and "Korietz" were attacked in the Korean waters at Chemulpo, and as seems to have been, to some extent, the case when the "Reshitelni" was forcibly abducted from the Chinese harbor of Chifu. An international rule might well be laid down to govern belligerents in such a contingency. The invention of wireless telegraphy has presented the question whether a neutral state is not bound to prevent the use of its territory by belligerents for the reception and transmission of messages by that means. In obedience to the principle manifestly governing in such a case, China seems to have destroyed the electrical instalment placed by the Russians in the neighborhood of Chifu, for the maintenance of communications between Port Arthur and the outer world. The duty of a neutral state to forbid the use of its territory as a base for hostile operations prevents, of course, all enlistments; there must be no levying of soldiers in neutral territory. While it is not to be understood that a neutral state is obliged to exercise such care as to prevent a man here and there from crossing its frontier to take service with a belligerent, it must take such precautions as to prevent anything like the migration in considerable bodies, or in a continuous stream, of neutral citizens to swell the ranks of either combatant. A neutral state cannot permit its territory to be used as a basis of operations, in the technical sense, from which a force, military or naval, "draws its resources and reinforcements, from which it sets forth as an offensive expedition, and in which it finds refuge at need." The greatest difficulty arises when warlike expeditions are organized outside of neutral territory from elements issuing separately from it. The great unsettled question which the Geneva tribunal has left for future solution is that involving the duty of a neutral state to vindicate

its neutrality by preventing the departure from its jurisdiction of the elements out of whose combination, outside of its limits, an hostile expedition may be formed. When do well-grounded suspicions amount to reasonable ground for action, and circumstantial details constitute legal proof? No more satisfactory answer has so far been made than that of Dana, who says that "the intent covers all cases and furnishes the test. It must be immaterial where the combination is to take place, whether here or elsewhere, if the acts done in our territory—whether acts of building, fitting, arming or of furnishing materials for these acts—be done as a part of a plan by which a vessel is to be sent out with intent that she shall be employed to cruise." It does not seem to be contended that neutral duty is violated simply by exports to a belligerent of boilers, or other essential portions of war-ships, as such exports to Russia from Germany and Great Britain, on a large scale, have recently passed unchallenged.

While it is well settled that troops, which for any reason pass into neutral territory, must be disarmed and "interned" by the neutral Power until the conclusion of peace, war-ships are permitted to enter neutral harbors and to put to sea again. And yet certain limitations are put upon this privilege to prevent the use of neutral waters as a belligerent base. When acting as Secretary of State, Mr. Taft recently held in the case of three Russian war-ships, which had sought shelter in an American insular port, that vessels wounded in battle cannot, in a neutral port, repair battle-damage. As to the length of time during which a belligerent war-ship may remain, Great Britain, the United States and many other Powers insist upon the departure of the ship within twenty-four hours. If the stay is prolonged beyond the prescribed limit, the ship must be disarmed, and its crew interned, as in the case of the "Manjur," and afterwards of the "Askold" and "Grosovoi," at Shanghai. A kindred rule of slow growth, now very generally enforced, prohibits the departure of a belligerent ship of war till twenty-four hours shall have elapsed since the departure from the same neutral port of any vessel belonging to the other belligerent. Although a belligerent vessel may make necessary repairs while in a neutral port, not including battle-damage, the question remains: May she also replenish her stock of coal? When the question was first raised, during the first year of our Civil War, the Duke of Newcastle

instructed colonial governors that, "with respect to the supplying in British jurisdiction of articles *ancipitis usus* (such, for instance, as coal), there is no ground for any interference whatever on the part of colonial authorities." Since then, Great Britain has made it a matter of deliberate policy to increase the stringency of such restriction. As early as 1862, Lord John Russell directed that the war-ships of either belligerent should be supplied with "so much coal only as may be sufficient to carry such vessel to the nearest port of her own country, or to some nearer destination." Identical language was employed by Great Britain in 1870, 1885, and 1898; but in the British Instructions of February 10th, 1904, the last phrase was strengthened so as to run: "or to some nearer *named neutral* destination." That last qualification has not, so far, been adopted by the government of the United States. The Egyptian proclamation of February 12th, 1904, superadds the requirement of a written declaration by the belligerent commander as to the destination of his ship and the quantity of coal remaining on board.

Out of the conflict between two otherwise irreconcilable rights,—the right of the belligerent to carry on his war and the right of the neutral to pursue his ordinary trade,—has grown a compromise which compels neutral states to acquiesce, without complaint, in certain acts of interference with the trade of their subjects on the part of either belligerent. Under the terms of that compromise, neutral trade, when war exists, must submit to abnormal conditions that increase the hazard of navigation, to visit and search, to causes of detention incident to blockade, claim of contraband and enemy service, and to the inconveniences incident to subsequent procedure, the prize-court and its penalties. The right of navigation is, in time of war, subordinate to the right of belligerent fleets to attack one another in any but neutral waters, with far-reaching missiles, within range of which neutral vessels approach at their own proper risk. Under the reasonable view of Thomas Erskine Holland:

"A neutral state is also, beyond question, at the present day, affected with constructive notice that if he traverses the territorial waters of a belligerent (which may be taken to extend three miles seaward from low-water mark), he may find them infested by mines, placed there by one or other belligerent, for purposes of attack or defence, and will be without redress should he suffer in consequence. It is, on the other hand, equally certain that, beyond the three-mile limit, a belligerent

has no right to resort to secret means of destruction, which are as likely to prove fatal to neutrals as to his enemy. So much seems to have been admitted on all hands, with reference to neutral losses which might have been occasioned by the mines met with in the high seas during the siege of Port Arthur. The only doubt was whether, as a matter of fact, those mines had drifted from Russian territorial waters, or had been deliberately placed by the Russians beyond the three-mile limit. . . . Within the last week or so, several British shipowners, in expectation of the meeting of the Russian and Japanese fleets, have effected a novel insurance against 'all risks of floating mines, and all damage by fire from naval engagements.'"

While the right of visit and search may be exercised in any waters other than territorial waters of a neutral state, its use has of late years been censured as a needless interference with trade, when applied at a great distance from the scene of hostilities. Thus, during the Boer War, Great Britain undertook not to visit German ships at Aden, or at any place not more distant than Aden from Delagoa Bay. Although under article I of the Declaration of Paris that right cannot be exercised by privateers, it can hardly be maintained that the employment of "Volunteer" fleets, or specially subsidized liners, under naval officers, is prohibited by that article. It is not yet settled whether a commission of war may be properly granted, in time of war, to a ship already at sea under the merchant flag.

As a belligerent is entitled to specify the articles which he intends to treat as contraband, provided that, in so doing, he does not exceed the license granted by international law, the list must vary from time to time. The tendency now is towards a reasonable compromise between the Continental school, which restricts the list of contraband to little more than arms and munitions of war, and the British, which supplements the list of articles "absolutely" contraband with another comprising articles which, according to circumstances, may become "conditionally" contraband. While the distinction between the two has been definitely recognized by the notifications issued by Japan, the Russians, ignoring the existence of merely "conditional" contraband, have treated as confiscable in every case not only coal, but also provisions, and even raw cotton, in favor of which there is still stronger presumption of innocence. From that extreme position Russia has, however, since so far receded as to agree that provisions, at any rate, will henceforth be regarded as only condition-

ally contraband, according to the use to which they are to be applied. During the present war, the question has been reopened as to the right of a belligerent to destroy, under any circumstances, a neutral ship carrying contraband. When such a question was presented by the sinking of the British ship "Knight Commander," in July, 1904, in accordance with the Russian instructions, and was approved of by the prize-court at Vladivostok, there was an outcry in both Houses of Parliament, where the incident was characterized as an "outrage," "a serious breach of international law." That extreme position has not, however, been supported by Mr. Holland, who has said:

"While it is, on principle, most undesirable that neutral property should be exposed to destruction without inquiry, cases may occasionally occur in which a belligerent could hardly be expected to permit the escape of such property, though he is unable to send it in for adjudication. The contrary opinion is, I venture to think, largely derived from a reliance upon detached paragraphs in one of Lord Stowell's judgments on the subject, judgments which, taken together, show little more than that, in his view, no plea of national interest will bar the claim of a neutral owner to be fully compensated for the value of his property, when it has been destroyed without judicial proof of its noxious character."

The Government of the United States admits the right of a belligerent to destroy a neutral ship carrying contraband, under certain exceptional circumstances; and that view will, no doubt, be shared by other states not so fortunate as Great Britain in the possession of a widely extended system of coaling stations.

HANNIS TAYLOR.

II.—A BRITISH VIEW.

IT is impossible to understand British views on international law unless we keep ever before us the fact that naval supremacy is the great object of all British policy. In 1904, Britain's naval expenditure, according to a Parliamentary Return, was over $25,000,000 greater than that of France, Germany and Russia combined. Success is assumed as an axiom; and any law tending to limit the power of the strong navy as opposed to the weak one would be regarded as an abridgment of British sea-power. It is true that a war with a European Power may result in stalemate, but she can console herself with her security on the sea where her

interests lie, the obvious embarrassments of her opponent's position, and with the philosophical maxim that "he that endureth to the end shall be saved." When, in addition, we reflect that Great Britain possesses in her Empire the extensive coast-line of 42,900 miles, with a unique series of coaling-stations along every trade route in the world, we see at once that she has not nearly the same need as her rivals to secure during war any benevolent neutral assistance.

This is the complete explanation of the British and Egyptian declarations that, when coal is granted to a belligerent, to take her vessels to the nearest neutral or national port, it should be clearly understood that the coal is for purposes of navigation only, and that, if the understanding should be violated, no more supplies would be granted—a safeguard which would in the past have brought an early end to the "Alabama." Hence, also, the refusal to supply any coal whatever to the Baltic fleet, since the belligerent purpose of a voyage away from the national ports was well understood. A pledge ought to be exacted, when neutral coal is granted, that neutral shipping will not be interfered with. As was the case in the American Civil War, Great Britain further refused to allow any prizes or prize cargoes to be brought into her ports. Unfortunately, the Convention of 1888 permits prizes to be treated on the same terms as belligerent vessels in the Suez Canal. It is, of course, impossible for Great Britain to expect that her views will coincide with those of the European Powers. Thus, in the case of the "Calchas" the Russian Appeal Court confiscated the timber, because it was suitable for warlike purposes, and the cotton, although clearly proved to be for spinning. The flour cargo was, however, released. Great Britain can hope, nevertheless, that her views will be agreeable to the United States, for the two countries have cooperated already in regard to contraband of war with special reference to food and cotton. As for the smaller Powers, Great Britain is sure to impose certain views on such as are too weak to defend their neutrality, and to press them on other nations where a more insistent attitude might be inexpedient. In a war with Germany, for instance, the moment the stage of blockade is reached, the position of Holland will claim the earnest attention of the British Government, for the Dutch will be fostering a large trade with Germany which did not exist during peace.

We can see clearly enough in these problems the ideals of Great Britain's diplomacy. As a belligerent, she desires to put an end to all direct neutral assistance to war-ships. She possesses, however, so vast a trade and transport system that her interests in the vexed question of contraband are of more importance to her as a neutral than as a belligerent. On the one hand, the Navy by its preponderating strength does seem to insure to her the probability of many years of peace or the occupations of a neutral Power. For over ninety years she has possessed, to all intents and purposes, complete security at sea. For over a century she might theoretically have waived the whole list of contraband, and yet completely safeguarded her position through the unrestrained local rights of interference with all commerce conferred by effective blockades. There is no magnanimity in this course, for it is quite clear that the contrary one of dispersing ships, whether for the attack of ports or vessels, weakens the concentration which is essential to the speedy conclusion of a war. Thus, incidentally, it may be stated that no great maritime Power has any interest in prohibiting the bombardment of towns on the coast; for, from her point of view, if her opponents are willing to swallow the bait and so bind themselves, like Persano at Lissa, to destruction so much the better.

The limitations of sailing-vessels and vision involved many difficulties which are not felt with steamers and wireless telegraphy, so that blockade formerly had nothing like the potency or range it has now acquired. The war-vessel, as compared with the trading-ship, has made a great gain in speed; and, the moment the architect endeavors to level matters, space and displacement are absorbed by engines and coal, and the vessel ceases to be a cargo-carrier. However, until the moment arrives for blockade, I doubt if Great Britain has any vital interest in preventing supplies being conveyed to her foes. In any case, she has considerable reasons for extending the period of grace for merchant vessels after the declaration of war, as was done by the United States in the war with Spain. A special exception would have to be made in the case of enemy's vessels suitable for war purposes as mercantile cruisers. A good example is not enough, for neither Russia nor Japan has followed the United States in the present war. There is no reason under International Law at present why British vessels on the sea, or in her opponent's ports when war

breaks out, should obtain any days of grace whatever. The contention might be advanced that every vessel is suitable for a collier, transport or some form of auxiliary for war purposes.

Returning to the consideration of the period between the outbreak of war and a resort to commercial blockade, it is noticeable that Nelson went so far, in the House of Lords, in 1801, as to declare that it was consonant with British interests to equip the French fleets for sea so that the British admirals might end the business. We have now learned from the present war that a contraband list, extending beyond such obvious items as weapons and munitions of war, presses with extraordinary severity on Great Britain herself. Apart from her direct trade, she does so great a trade with, say, thirty neutrals that their interests must be her interests and must come before those of two petty belligerents. Yet the trend of policy hitherto pursued would appear to indicate a contrary opinion. Up to the time of the publication of the Russian lists, with their inclusion of raw cotton as unconditional contraband and the attempted prohibition of provisions, the British list of contraband was the most illiberal in the world. The result of the Russian pretensions might easily have been the cessation of the greater part of British commerce with Japan, for a ship-owner found that heavier premiums were charged on all the cargo for the Far East if any portion of it happened to be destined for Japan. The special circumstances of the war, as a railway war in which Japanese railways were practically transplanted to Korea and Manchuria, I think, justify Russia in treating railway material as contraband of war; but the most flagrant case of contraband could never have justified the sinking of a neutral vessel, as was done in the case of the "Knight Commander" for carrying railway material. The "Alabama" only sank enemy's vessels, being quite unable to take them into her own ports, and, even so, it is impossible to understand the action of Great Britain in coaling a vessel which acted thus. The only circumstance under which a neutral can be sunk is when, after hoisting the colors, signalling her to stop, firing a blank charge and then a shot across her bows, she still persists in evading search. If searched, her papers, such as the ship's log, official log, bill of lading, copies of charter party, certificates of clearance at different ports, chart, and the nationality of the crew have to be examined. If suspicious, then the cargo may be examined, and if necessary

the vessel can be taken before a prize-court. It would be monstrous to facilitate the desire of a commerce-destroyer, fleeing from other war-vessels, unduly to hasten this long process.

The British list recognizes two classes of contraband, viz., absolutely contraband and conditionally contraband. The list of absolutely contraband goods includes all weapons of war, ammunition, the machinery for making arms and the materials forming the ingredients of explosives; all forms of military equipment, stores, clothing and everything that can be of the slightest use in building a vessel. The conditionally contraband list includes articles which may also be presumed to be intended for purposes of war. This list includes such a varied assortment as provisions and liquors fit for the consumption of the army and navy, money, all forms of telegraph and railway materials, coal, horses, hay, tallow, timber, etc. At present, contraband lists are merely indicative of past policy, as is amusingly illustrated by the absolutely contraband articles in the British list, including some which suggest that naval war is still fought under masts and sails. A revised list would probably approximate closely to that issued by Japan at the beginning of the war. Past lists do not prevent such violent fluctuations of policy as was illustrated by Russia when she changed from one extreme to the other in reference to coal, the original view having been given in the West-African Conference of 1884 that she would "categorically refuse her consent" under any circumstance to allow coal to be regarded as contraband of war. The British example has exerted an evil influence, and France, in 1885, made rice contraband because of "its importance in feeding the Chinese population." It was clear from this case, long before the present war, that a nation effects its purpose, in spite of protests, if shipments are arrested by fear of capture, without any tangible case arising for a demand on the part of an outraged neutral for compensation. There is a great danger to the cotton, corn and meat trades of the United States and Great Britain in any failure to secure general agreement on these points. I do not say the danger is a real one, but it arises from the nervousness of business men.

The great jurist Sir Henry Maine always insisted that Great Britain had every interest in exempting all private property from capture at sea. He held that the American proposal to this effect might well have been made "by some very strong friend

of Great Britain." If this rule could be applied, and all Powers could agree to municipal regulations to prevent the export of the weapons and munitions of war to belligerents, as was actually done by some of them during the Crimean War, then the gain would be immense. The successful belligerent would still possess the ability to attack commerce by blockade. Such a rule, of course, favors the successful belligerent; but, if any are disposed to cavil, they may well be asked if International Law is not based on expediency, and is it not expedient that the winning side should be unhampered in its efforts to end the war? The rule will accordingly be rejected if, on the other hand, we accept John Stuart Mill's view that "the basis of international law is that the smallest and least powerful nation, in its capacity of a nation, is the equal of the strongest." If accepted, however, I think it is further expedient that the old idea of blockade should be introduced of allowing the seizure of an enemy's goods wherever found, always provided that the blockade of the national ports is effective. If this plan were carried out, all commerce would be unhampered up to the issue of orders for a blockade.

The present system of contraband places a premium on vexatious and spasmodic interference with commerce, which could only be justified if it were shown that, as a general rule, it seriously affected the issue of a war. So many difficult questions with neutrals are raised that it appears to be positively detrimental to the belligerent endeavoring to interpret it. For months, British ship-owners and exporters hammered at the door of the Foreign Office to ascertain what they might or might not do, and they obtained no answer. In March, 1904, they were informed that the Russian prize law was that "neutral ships captured while engaged in flagrant act of contraband can, according to circumstances, be seized and even confiscated." Who would have suspected after this that neutral ships would be sunk when even the question of the nature of their cargoes was a matter of complete uncertainty? The law of prize, as always understood, is that there is no property on the part of the captor in the prize until the matter has been decided by a prize-court. Possessing, as she does, numerous well-distributed ports at which prize-courts can be established, and having a fixed policy which counts with certainty on secure sea-communications, Great Britain can have no possible interest in enabling less fortunate nations to free

themselves from these difficulties by sinking their prizes. The orders of the British Government are very positive that, if a prize cannot be carried into port, she is to be released.

Again, since British and other prize-courts have always held that a vessel has purged her offence when she has successfully evaded search and deposited her contraband, few anticipated that, in the case of the "Allanton," Russia would have seized the vessel and used as a plea that she had carried contraband on a previous voyage.

The alternative principle of all or nothing, submitted by the United States, has now many more supporters. Let all enemy's property be liable to seizure, or let all private property be exempt, except from the operations of blockade. Then there will be but little ambiguity to quarrel over. For the sake of her normal position of neutral, and in opposition to many distinguished British naval officers, I maintain that it is to the benefit of her own naval operations that Great Britain should support the American proposal. As I have said, weapons and munitions of war can be placed under municipal law, so that it will be a violation of neutrality to export them to either belligerent.

Let me add one word more of warning. The present war on the whole has been localized. It is no measure of the interference with commerce which may take place in a world-wide war. Though in a small way it has raised the question of the mails, it has not touched the question of searching steamers which carry goods or mails, and which are yet regarded by the national owners as Government ships. The question, though unsettled, is not a new one, for years ago the French Government claimed exemption for the mail-boats commanded as they were by naval officers. We must not therefore imagine, as some do, that this war has raised all questions in their most acute form. It has, however, raised one new question, for we now realize the necessity of regulations affecting wireless telegraphy.

Two other points have come into considerable prominence as the result of the war. They are the laying of mines and the definition of territorial limits. It is generally agreed, but has never been clearly laid down, that mines should not be laid outside territorial limits. Regulations are also needed as to the mooring of these mines, to prevent them drifting and becoming a danger to navigation. As for territorial waters, it has never been

settled how far they extend. Most Powers agree upon a three-mile limit, which was the original limit of the range of the gun. We have now guns which have an effective range of ten miles or more; and, on more than one occasion, the Japanese fleet was in imminent danger of being hit from the Port Arthur forts at eight miles. In order to reduce the asylum facilities afforded by neutrals to belligerents, it is certain that Great Britain would not be averse to increasing the extent of territorial waters to four or five miles, if suitable restrictions are placed on the laying of mines with due regard to the depth of water. The lead for sounding would then confer safety, up to a certain point, on neutrals.

Since all the initial stages of a British war are on the sea, on which it is an axiom of Great Britain's policy to be completely prepared, that Power can have no interest in the doctrine that hostilities should be preceded by a formal declaration of war. We know that, in the majority of cases, hostilities are commenced by what is euphemistically termed "the first blow," and that all the great Powers must plead guilty to this practice. The British policy, on the outbreak of a crisis, is to resort to shadowing the prospective foe. This is effected by the distribution of ships so as to bring all the enemy's war-ships, or vessels capable of being armed, under the unwelcome observation of an equal or stronger force. This enables a great naval Power to bring about decisive issues at the earliest moment, and it is far the most efficient protection she can devise. Shadowing gives the prey into her hands, whereas its abolition would leave the bird in the bush. While the process is extremely irritating to others, it cannot be doubted that it is indispensable to Great Britain, and that she regards it as of importance to the preservation of peace by demonstrating the efficiency of her preparations. If, therefore, the question of shadowing should be raised at an international conference, she will maintain her rights on this point as tenaciously as she formerly held to the right of search, which still exists. The ground taken will probably be that a nation has as much right to shadow the ships of another as a military nation has to place troops on the frontiers. To have listened to the protests of Russia in this matter, when the latter was preparing to seize Port Arthur, is now generally recognized in Great Britain to have been a mistake which will not be regarded as a binding precedent.

CARLYON BELLAIRS.

III.—A FRENCH VIEW.

ALL States are agreed in recognizing certain general principles which regulate relations between belligerents and neutrals and determine, on the one hand, the rights and duties of neutral subjects on the high seas towards belligerents and, on the other hand, the rights and duties of neutral States towards belligerents in their territorial ports and waters. But beyond this point agreement ceases, and States differ very widely in their application and interpretation of these principles; moreover, the same State sometimes modifies, under the pressure of circumstances and of fresh interests, the rules which it had previously adopted.

It seems that the very conditions of maritime warfare make it impossible or, at any rate, extremely difficult to establish uniform international regulations on all the questions which are raised by neutrality. The aim of maritime warfare is, in fact, to force the enemy to surrender by depriving him of the use of the sea. Unless such warfare be merely the prelude or the accessory of warfare on land, war at sea must have as its object the disorganization of the enemy's national existence, by stopping or, at any rate, by hindering his sea communications. England, for instance, could not be reduced to submission by the destruction of the British fleets, if English commerce thereby suffered no losses, and if merchant vessels still remained free to furnish Great Britain with the provisions and raw materials necessary for her and her industries, and were still able to carry to the various markets of the world the products of English manufactories. In the same way that on land it is the military occupation of the country and not the mere dispersal of the vanquished army of the enemy which forces the foe, who is rendered unable to pursue his ordinary avocations, to sue for peace, so at sea—where military occupation is impracticable—the negative equivalent of occupation, that is to say, depriving the enemy of access to the sea, is the sole means of interrupting the free course of their national life and thus forcing them to surrender.

But, to be effective, the interdiction of the use of the sea should not only affect the shipping and cargoes of the enemy, but also the neutral shipping and cargoes coming from or proceeding to the enemy's shores. Belligerents have always been inclined either openly or secretly to adopt this extreme course. The Continental

blockade and the English blockade at the time of the great struggle between Napoleon I and England, were only forms or expressions of this absolute interdiction. Neutrals, unless constrained by force, do not readily comply with such injunctions. Not being engaged in the war, they justly claim the right of carrying on their peaceful pursuits with belligerent States who remain at peace with them. And although these pursuits, whilst peaceful in their character, still procure to the belligerent with whom they are conducted, wealth and resources which indirectly help him to carry on the war, it is necessary—if you are to avoid disregarding the rights of neutrals—to limit those of belligerents.

The principle is generally admitted that neutrals may continue to carry on their trade with belligerents in spite of war, provided that such commerce is of a distinctly peaceful character. But differences arise as soon as the attempt is made to define what is neutral commerce, what are neutral shipping and cargoes, and on what conditions neutral commerce can lay a claim to be of a peaceful character.

French doctrines are particularly favorable to neutrals. They are so in every respect. They strictly limit the rights of belligerents with regard to neutral shipping on the high seas. They do not impose upon neutral States a rigorous interpretation of the duties of neutrality; they allow belligerents extensive rights as to the use of their ports and territorial waters.

At the time of the war which was waged against England in order to secure American independence, France admitted the principle that "a neutral flag covers an enemy's cargo, unless it be contraband of war." This principle was inscribed in the Paris Declaration of 1856 side by side with the rule laid down in the "*Consulat de la Mer*,"* which was always observed by England, but rejected by our Order in Council of 1778, to the effect that "neutral cargoes excepting contraband of war" may not be seized under an enemy's flag. As a signatory of the Paris Declaration, France thus respects all neutral property which is not contraband of war, and even the enemy's property if it be found on board a neutral ship, whose flag assures to all the cargo the same freedom and immunity which the ship herself enjoys.

* The "*Consulat de la Mer*" is a well-known summary of maritime customs, observed in the Middle Ages by the different States situated on the seaboard of the Mediterranean.

The decision as to what constitutes an enemy or a neutral, especially with regard to shipping, is, consequently, of considerable importance. French, in contradistinction to English doctrines, put strict limitations upon what constitutes an enemy, and give a wide interpretation to the term "neutral." The only ships regarded as hostile are those of the enemy's nationality. This principle admits of only one exception, the object of which is to provide against fictitious sales contracted with a view of sheltering hostile shipping under a neutral flag during a war. To prevent any such fraud, we do not admit that an enemy's ship may in time of war lose her nationality by means of a transfer to neutral purchasers; the ship having been entitled to fly the belligerent flag is only neutral in so far as her transfer to neutrals shall have been affirmed by a legal document of an earlier date than the opening of hostilities. With this exception, every ship which has a right to a neutral flag is considered neutral. As to the cargo, all merchandise on board an enemy's vessel is presumably the enemy's, but this assumption may be disproved; it is sufficient if the owner of the cargo, whose rights are shown by the ship's papers, can prove that he belongs to a neutral nation. To sum up, the fact of her flying the enemy's flag—as far as the ship is concerned, and the fact that the owner of the merchandise belongs to a hostile nation—as far as the cargo is concerned, are the only pleas upon which the character of an enemy can be attributed, to the exclusion of all considerations as to the domicile of the ship-owners, shippers or consignees, of the country of origin of the cargo, etc.

Neutral commerce suffers from restrictions by blockade. Neutrals, whilst protesting with reason against a general interdiction of commerce with belligerents, which would lay upon them the burden of war without imposing any expenditure upon the States engaged in the contest, accept such interdiction if limited to the places off which, at great expense, fleets are lying in watch to intercept communications. But here again, the conditions and effects of a blockade are differently understood by different States. Here again French doctrines are very favorable to neutrals. All States admit that blockades are not binding on neutrals unless they be effective, that is to say, according to the definition of the Paris Declaration, "maintained by a force sufficient to actually bar access to the enemy's coast." France

interprets very strictly, so far as the belligerents are concerned, this condition of effectiveness of a blockade; she thereby imposes upon herself the necessity of making a great display of force in order to assure the blockade and thus diminishes, to the advantage of neutrals, the extent of coast which her squadrons are capable of blockading. Further, she only considers a ship guilty of infringing the blockade, if she attempts to enter a blockaded port after having been notified of the blockade by a blockading vessel; thus her second attempt is the only dangerous one for a blockade-runner. Lastly, the ship which breaks or tries to break the blockade can only be seized and confiscated if caught in the very act, at the moment of crossing or trying to cross the line of blockade, or upon chase being given at that moment by a vessel of the blockading squadron. We do not recognize, as the English do, the right of seizing a neutral ship, wherever met, on the sole ground of her coming from or being bound for a blockaded port.

Belligerents have had to admit the right of neutrals to carry on their peaceful commerce even with nations which are at war, but have always denied their right to furnish the enemy with articles necessary for the contest, which are designated by the term "contraband of war."

What is the real meaning of "contraband of war"? On this point no agreement has been arrived at, or is probable in the near future. The interest of belligerents is to extend, that of neutrals to restrict, the definition of what is contraband of war. They both readily concur in allowing that such articles as can in no way be of service in war, as, for instance, precious stuffs or jewelry, are not contraband, and agree in attributing the term to such articles as can only be of service in war, such as arms and munitions. But a very great number of articles can be put to a warlike as well as to a peaceful use, and, whilst necessary in peace, may be indispensable in war. Such are, to cite only a few, horses, naval stores, maritime engines, coal, supplies which are habitually in use in the army or navy of the belligerents. It is to the interest and consequently is the tendency of neutrals to maintain that such articles belong to peaceful commerce, and that the fact that the use to which they are finally put is doubtful, is sufficient to warrant their being supplied to belligerents. The interest of belligerents, on the contrary, is to prevent neutrals from carrying to the enemy goods which, in spite of their doubt-

ful character and of their utility for essentially peaceful purposes, may nevertheless be more necessary and consequently more valuable than arms or munitions of which the enemy might have an abundant home supply. Hence, belligerents claim the right to designate as contraband of war articles which may be used both in war and in peace, and the supply of which by neutrals becomes, through the circumstances of the case, specially advantageous to the enemy; neutrals, on the other hand, dispute this right and attempt to restrict the term "contraband" to articles which are solely applicable to warlike purposes.

French doctrines on the definition of contraband of war are very favorable to neutrals. The list of contraband articles is short and only comprises a very small number of articles which can be used for peaceful purposes. Coal was not on the list in either 1854, 1859 or 1870. The only articles designated as contraband by the Minister of Marine in 1870 were "firearms, side-arms, projectiles, powder, saltpetre, sulphur, articles of military outfit, camp gear and harness and all engines of war of whatsoever description." Nevertheless, in 1885, during the struggle with China, the French Government declared rice to be contraband of war, alleging that "besides articles which are contraband of war by their very nature, such as arms, munitions, etc., there are other articles, trade in which may be conditionally forbidden in war-time, on account of their exceptional utility to belligerents." The formula was a very wide one, and provoked the protests of England and Sweden. It was attenuated, and it was sought to justify the designation of contraband on the plea that the rice cargoes referred to represented the amount of tax due in kind by the Southern provinces to the Chinese Government, and were destined to be consumed by the imperial troops. Coal, money and all stores intended for the enemy's use in his military operations were equally considered contraband of war, as well as steam-engines or parts of steam-engines for war-ships, as well as vessels built for use in war. In addition to what is contraband by nature, the French Government thus includes another category of contraband goods, namely such as are conditionally contraband, in which category certain articles which may be used both in peace and in war can only be classed in so far as they are certainly, or almost certainly, destined for military operations.

All articles classed as contraband of war are liable to confisca-

tion. When such articles form three-quarters of a ship's cargo, the ship herself with all her cargo is subject to the same penalty. This sanction is intelligible, although very severe, in so far as the ship is concerned; it is neither justifiable nor intelligible in so far as it deals with the harmless portion of the cargo.

It seems impossible to restrict the quality of contraband to such articles as are only of use for war, but it would be desirable that, with respect to such articles as may be used in peace as well as for war, the belligerent States should, in certain cases, substitute, as England has done, the right of preemption for that of confiscation. They would thus retain the advantage of depriving the enemy of the cargo which might be applied to warlike purposes, without inflicting on neutrals a somewhat unfair loss, in cases where the article classed as contraband might be considered as having a *bonâ fide* peaceful destination.

On the high seas, the responsibility of neutral States cannot be brought into question by the acts of their subjects. As a matter of fact, belligerents claim the right of supervising themselves the conduct of neutrals. They would not consider such supervision of neutrals by their own States sufficiently impartial, and consequently sufficiently effective. Neutral States, on the other hand, would experience some reluctance in impeding, for the belligerents' advantage, their own subjects' trade and in incurring responsibilities because of the inadequacy of their action.

In ports and territorial waters, on the contrary, belligerents could not claim the right of supervision without infringing the sovereignty of the State to which the coast belonged. On the other hand, belligerents might, thanks to extreme leniency, use neutral ports and territorial waters as a base for the preparation of hostile acts against the enemy. This neutral States should not permit. They have rights to exercise, but also corresponding obligations to fulfil, in their ports and territorial waters. In any case, there are no precise and universally accepted rules as to the exact standard of these rights and obligations. All recognized the right of neutral States to have their ports and territorial waters respected, their obligation of preventing these ports and waters becoming a base of operations or a source of military strength. But each State interprets, often in a very different way, the rights of its own sovereignty and especially the limits of leniency to be allowed to belligerent vessels of war.

French, as compared with English, doctrines allow neutral States much greater liberty of action. They leave them the option of permitting or forbidding certain acts which the English are inclined to hold should be necessarily forbidden. The French custom imposes many less restrictions than the British.

Whilst any act of war is forbidden in territorial waters, free passage through them is allowed, even to belligerent war-ships, as in time of peace. The area of territorial waters is not absolutely fixed for all States by international law; France admits that this area is one of three sea miles from low-water mark. Sovereign jurisdiction is exercised more strictly in ports. They are not a part of the sea routes; they are only the points of departure and arrival, the necessary intermediaries between sea and land, and, occasionally, an indispensable refuge from the perils of the sea. The riparian State should, in principle, keep its ports open in time of peace. It should always allow access thereto to ships in distress. The neutral State is equally bound to give shelter to belligerent war-ships which are prevented by the state of the sea, the damages they have sustained or their want of provisions from pursuing their journey; it may, without being bound to do so, give them shelter in any other event. France throws her ports wide open to belligerent war-ships; she does not limit the length of their stay; she only limits it to twenty-four hours when they have entered the port with prizes taken from the enemy. War-ships which have sought refuge in a neutral port to escape the enemy's pursuit are free to stay or to leave. If the enemy wishes to reduce them to a state of impotence, it is for him to take the necessary measures to make it dangerous for them to leave.

Belligerent war-ships which have entered a French port may effect repairs there or take in stores necessary for navigation or for the subsistence of their crews; they may not, on the other hand, recruit combatants, or provide themselves with arms, munitions, or articles for use in action. Their stay in a neutral port may therefore allow them to leave it with fresh means of navigation, but not with any increase of fighting strength. Nevertheless, the enjoyment of facilities of taking in stores or coal might degenerate into an abuse. If a war-ship were free to return periodically to the same port in search of articles, which, whilst not instruments of warfare, were yet resources indispensable to

carrying on her campaign, she would be turning this harbor into an actual base of operations. Continuous resort to the same place with the object of taking in stores, thanks to the resources of the place, is the characteristic of a base of operations, that is to say, of the "*point d'appui*" for renewing and multiplying the most varied enterprises against the enemy.

Still in certain cases, a neutral harbor or a station within neutral waters might happen to become not a base of operations, but *the* base of a deliberate operation of a hostile character. This would be the case where a ship or a squadron claimed the right to lie in wait, within the shelter of neutral waters, for the passage of a hostile force in order to attack it unexpectedly, at the limits of such neutral waters. French orders, issued in 1904 by the Minister of Marine, forbid any preparation of hostile acts or operations, even of an isolated nature, being made within French waters.

CHARLES DUPUIS.

IV.—A GERMAN VIEW.

THE initiative taken by President Roosevelt in inviting negotiations on important questions of naval law in a second Hague Conference is sure to be gladly welcomed by all those States which desire to see naval law develop as international law, and not merely as the right of the most powerful maritime state.

Only general rules can be drawn up indicating what it is incumbent on the belligerents and on the neutrals to do or not to do. These rules will have to conform to the principle that the speedy termination of a conflict is in the interests of both belligerents and neutrals.

I. Rights and Duties of Belligerents.—1. Territorial Waters. The three-mile line has been recognized in recent treaties and ordinances as the extreme limit of the territorial water.

In consequence of the prolonged stay of the Russian squadron under Admiral Rojestvensky in Indo-Chinese waters just beyond the three-mile line, an extension of the limit of territorial waters is in many quarters considered necessary. Such an extension, however, is in the interest neither of the belligerents nor of the neutrals; it would restrict both in their action and create

obligations whose fulfilment would often be an impossibility and an occasion for conflicts. The occurrences during Rojestvensky's stay off the Anamite coast shows how difficult it is to carry out the rules of neutrality, in the presence of a great fleet, even with a three-mile strip. In districts without telegraphic communication and in cases where single, detached ships are concerned, the difficulties will be considerably augmented. The possibility of ships or squadrons belonging to the belligerents lying a long time outside the neutral zone and taking in supplies will be removed only by an extension which cannot even be discussed. For purposes of defence in the protection of the coast the three-mile strip is ample.

2. Military Instruments of War.—(a) Mines and Torpedoes. A further restriction of the instruments of war now admissible by international law is, for the immediate future, not necessary. It is another question whether the instruments should be employed everywhere. The safety of neutral shipping demands that on the high seas instruments of war which are a hidden danger to shipping shall be avoided. As long as this demand does not run counter to the belligerent's object—viz., to overcome his opponent quickly—it must be acceded to.

Mines, stationary and drifting, as well as torpedoes without sinking appliances, are, therefore, to be regarded as admissible only in the territorial waters of the belligerents and in the actual operation area of the fleets. There is, however, no justification for the demand that mines shall be used to close harbors only in the case of an effective blockade; the belligerents must be permitted to employ this measure against all harbors that the adversary will possibly use as a base for his operations, on condition that they notify the neutral governments in good time.

(b) Auxiliary War-ships. Concerning the hitherto undisputed right of belligerents to equip trading-steamers as auxiliary war-ships everywhere, except in territorial waters, England has, during the present war, endeavored to enforce her view that the belligerent can legally commission auxiliary war-ships only in his own harbors and not on the high seas. That the general acceptance of this principle would be very beneficial to English interests, but prejudicial to States with small colonial possessions, is very evident; but it does not accord with the principle of international law that the State has unlimited power and jurisdiction

on the high seas over all vessels sailing under its flag. In the interests of all the demand is justified that an auxiliary war-vessel shall not change its character during the war.

3. The Right of Taking Prizes. The complete abolition of the right to seize private property was one of the wishes of The Hague Conference of 1899. The United States have striven for this object for nearly a hundred years. The right to take prizes is the most effective, and often the only possible, instrument of war when the opponent, after the destruction or investment of his forces, does not consent to make peace. To permit the exercise of this right only in the case of a blockade would be to concede special advantages to the stronger maritime Power and to the State with an extensive coast-line. On the other hand, the interests of all will be served if, on the conclusion of the war, compensation must be made for private property, with the exception of contraband of war, that has been seized.

4. The Right to Seize Contraband. The right to seize contraband, which is supplementary to the right to make prizes, originates in the justified desire of the belligerents that the effect of the latter shall not be completely nullified by neutral trade. It must, therefore, continue as long as that right exists, and be exercised under the same conditions as those under which that is exercised—viz., (*a*) during the continuance of the war, (*b*) on all seas with the exception of neutral territorial waters, (*c*) without indemnification. If the conception of absolute contraband of war is more closely defined, the neutrals may be satisfied.

The custom in vogue in England and America of making a distinction between "absolute" and "conditional" contraband of war, and of limiting the number of articles belonging to the former category to war material and to raw materials undoubtedly destined to produce war material, without extending it to coal, foodstuffs, etc., may be accepted as an international legal standard.

It is absolutely impossible to stipulate, on the basis of international law, what goods should be reckoned as conditional contraband. The belligerent must retain the right to treat as conditional contraband all goods which from their nature might serve both warlike and peaceable purposes, when they are consigned to an official authority or to an agent of the hostile Power, or when their destination is a hostile naval port or any other hostile

port which serves as a base for the hostile forces. It must be left to the consignee to produce proof that the goods were really destined only for peaceable purposes.

As a mitigation of the right to seize contraband, the maritime States, with the exception of England, assure free passage to neutral trading-vessels sailing under neutral convoy, when the commander of the convoy declares that the trading-vessels under his protection contain no contraband. As this practice is in the interest of the neutrals, and is not opposed to the interest of the belligerents, it could well be sanctioned by international law.

Efforts have lately been made to further restrict the right to seize neutral mail-steamers, but difficulties will be encountered, as mail-steamers, like other vessels, may possibly carry contraband goods. An agreement may perhaps be arrived at on the lines that, (*a*) neutral mail-steamers are to be stopped and seized only in the neighborhood of the actual seat of war, and only when strong suspicion rests on them; (*b*) outside the actual seat of war the mails, including those of the belligerents, not to be touched. This exceptional treatment of the correspondence of the belligerents, which is in the interest of the neutrals, can have no essential disadvantage from a military point of view, as important intelligence will be transmitted by telegraph.

5. Destruction of Detained Vessels. According to the view generally held the belligerents have usually been accorded the right to sink the detained ships in cases of necessity. England alone makes an exception in favor of neutral vessels; they are to be released if they cannot be taken before a prize-court. To accept the English view as a rule of international law would be to still further add to the maritime power of England, as the belligerents can establish prize-courts only in their own harbors. The justified demands of the neutrals would be satisfied if (*a*) the right of destruction is restricted to cases where the ships carry unquestionable contraband, and cannot be taken to a port of adjudication owing to the condition of the ship or of the cargo, or because of danger of recapture; and (*b*) full compensation is made for ship and such cargo as is not absolute contraband.

6. Interruption of Cable and Wireless-Telegraphic Communications. The regulations issued by the United States during the war with Spain may serve as a model for an international legal settlement of this question. The belligerents must, without

considering the owners, have the right to cut all cables connecting portions of the hostile country with each other or with a neutral country. The Naval War Code of 1900 permitted the cutting of cables of the latter description only in hostile territorial waters. This limitation is hardly justifiable theoretically, as other warlike acts can be committed on the high seas against neutral property (the right of seizing contraband); in practice, it is immaterial whether the interruption takes place on the high seas or in the belligerents' territorial waters. Cables between neutral territories must not be touched, even when owned by the enemy.

Wireless-telegraphy communications are to be treated like cables. The belligerents must have the right to interrupt these communications between portions of the opponent's territory, or between points of a hostile and a neutral country, by seizing floating stations—including those belonging to neutrals, which must be returned subsequently—or by establishing intercepting stations.

7. Bombardment of Open Towns. Endeavors to extend the prohibition of the bombardment of open towns by portions of the army also to the naval forces were frustrated both at the Brussels and The Hague Conferences, chiefly by the attitude assumed by England. In the next conference also a categorical prohibition will probably be unattainable, as all the State and private dockyards, arsenals, railways, etc., which help to supply the means of carrying on the war, must remain exposed to destruction. But bombardments solely for the purpose of enforcing contributions can be stigmatized as contrary to international law.

II. Rights and Duties of Neutrals.—1. General Attitude of Neutrals. In former times, the neutrals maintained a uniform friendly attitude towards the belligerents, and endeavored to continue their intercourse with them on the same footing as in times of peace. Since the Paris Declaration of 1856, the view, actively supported by England, that neutrality demands a uniform unfriendly attitude towards both belligerents, has gained ground. The tendency of this movement is to impose such extensive duties on the neutrals that they have to do a portion of the work of the belligerents; its chief object, however, is to exclude the war-ships of the belligerents from neutral ports. That this advantages only the State that in no part of the world is compelled to have recourse to neutral ports needs no further elucidation; many States have,

however, to their own disadvantage, joined the new movement. It certainly does not further the general interest of neutrals, and it entails many possibilities of conflict. The neutral is most sure of not being drawn into the conflict when he changes his attitude towards the belligerents only so far that he does not become their auxiliary. He may not suffer his territory to become a basis for warlike operations, but he cannot be obliged to refuse common hospitality to the belligerents.

2. Treatment of the War-ships of the Belligerents. The old rules of neutrality do not restrict the stay of the ships of belligerents in any respect more than in times of peace; they permit all articles of equipment to be supplied, and any repairs to be made that do not immediately contribute to enhance the fighting capabilities. The new principle, advanced by England in 1861, and accepted first by the United States and later by many other countries, limits the duration of the stay to twenty-four hours, and permits sufficient coal to be taken on board to enable the vessel to reach the nearest port of her own country or some nearer destination, and repairs to restore seaworthiness.

It cannot be denied that the new rules, even if the old principle remains in force, are better adapted to certain cases of neutrality. A compromise between the two, therefore, will best suit the actual conditions created by war, if the French rules are applied in the case of those ports and waters which are at a distance from the sphere of operation of the hostile fleets, and the English remain valid for ports and waters within or near the sphere of operations. The neutrals must have the right but be under no obligation to close completely certain ports and bays. The difficulty of this distinction lies in the conception of the sphere of operations. It will have to be taken to mean that portion of the sea on which the opposing forces permanently manœuvre for the purpose of warlike operations. Ships which directly seek refuge from the enemy in neutral waters, and prizes, would have to be treated without regard to the distance from the chief theatre of war.

The extent and the duration of the repairs necessary to restore seaworthiness must be fixed by the neutral government. The latter must make no distinction between damages sustained on the voyage or by the action of the enemy's guns, as it would act in the interests of the other belligerent if it made the repairs dependent on this distinction. The action of the United States Gov-

ernment towards the ships of Admiral Enquist undoubtedly exceeded the measure of duty. The German Government also did more at Tsingtau than duty demanded. Ships which do not leave the ports and waters after the expiry of the fixed term render themselves liable to disarmament.

3. Treatment of Disarmed Ships. This question is one of the questions that have arisen for the first time during this war. The regulations of The Hague Convention concerning the treatment of troops that have crossed into neutral territory may be some guide on this point also. The neutral must prevent ship and crew from participating in or assisting further operations, and may take all measures required to fulfil this object.

4. Control over the Actions of Subjects. England and the United States issued regulations at the beginning of last century which rendered penal certain actions on the part of their subjects in favor of the belligerents. In the course of the century these regulations were extended and supplemented, and other States followed the example thus set. The English Foreign Enlistment Act, of 1870, goes to the greatest lengths; it originated in the complications with the United States over the "Alabama" affair, and includes the chief points of the Washington Treaty of 1871. As this treaty, contrary to the original intention, has continued to be restricted to the two contracting parties, there is no international legal obligation attaching to such laws. The necessity for this was undoubtedly manifested in the present war, but it will probably suffice if the controlling and punishing duty is restricted to the territorial waters, as outside them the belligerents have the right to confiscate contraband goods and detain persons, and if it extends only to the following actions: (*a*) to the enlistment of their subjects in the war service of the belligerents, (*b*) to the building, equipment, delivery and commissioning of such ships for the belligerents as are directly adapted for war service, (*c*) to the supply of equipment material, and the undertaking of repairs beyond the limits fixed by the rules of neutrality. The Foreign Enlistment Act includes among the vessels directly intended for war service store-ships which follow a fleet to supply stores on the high seas, but it permits trade in contraband with the belligerents' ports. This distinction has been ostentatiously emphasized, the reason given being that the belligerents can employ the law of contraband against the trade in contraband

goods. As they have, however, the same right with respect to ships which supply the opponent with stores on the high seas, this crafty distinction furthers only English interests.

Every obligation on the part of the neutrals in excess of the above is, therefore, equivalent to an assumption of the tasks of belligerents, and is directly opposed to the neutral interest which demands that freedom of trade shall be impeded as little as possible. The sale of private trading-steamers adapted for equipment as auxiliary ships to one of the belligerent governments or its agents is also a business transaction like any other, and is now generally considered to be admissible, the point of discussion being whether subsidized steamers, which have to a certain extent a public character, may be sold. The settlement of this question will create no difficulty. If such steamers are, in consequence of the subvention, either partially government property or especially prepared for war purposes, the sale is not compatible with the duties of neutrality. The steamers of the Hamburg-American Line which were sold to a Russian firm do not come under this category.

5. Control of News. This is another much-disputed point, as the St. Petersburg Telegraph Convention of 1875 and the Paris Convention of 1884 do not refer to times of war. During the Spanish-American war, England placed a censorship in Jamaica on the cable to Cuba, and closed the Hongkong-Manila cable as soon as the Manila end was taken on board American war-ships. During the present war, the Russian ships have enjoyed the free use of the telegraph in the ports they made on the outward voyage, as did both Russian and Japanese ships at Tsingtau and Chinese ports. This usage will probably have to be accepted as an international legal standard.

Concluding Remarks. Exigencies of space prevent me from dealing more fully with the separate points of the complicated subject of naval law. From what has been said, however, it will be clear that the tendency is for naval law to develop solely as the right of the stronger. The second Hague Conference will show whether a compromise can be effected among the political interests of all the maritime powers. Humanitarian considerations have influenced its development but little, and they will not influence its development in the future.

VON USLAR.

THE FEDERAL REGULATION OF LIFE-INSURANCE.

BY JAMES M. BECK, FORMERLY ASSISTANT ATTORNEY-GENERAL OF THE UNITED STATES.

WHEN Alexander Hamilton, that Admirable Crichton of our political history, submitted to President Washington, on February 23rd, 1791, his remarkable memorandum on the constitutionality of the proposed National Bank, he took issue with Secretary Jefferson and Attorney-General Lincoln as to the scope of federal power; and in that memorable discussion, distinguished on both sides by remarkable intellectual ability and even more remarkable prescience, the two great schools of constitutional construction in this country had their true birth.

In discussing the question of implied powers, the Attorney-General had attempted to enumerate such as he deemed to be fairly included in the grant to the Federal Government of the express power to regulate commerce; and, in replying to this memorandum, Alexander Hamilton suggested others, and among those, whose existence, he declared, admitted "*of little, if any, question,*" he specified "the regulation of policies of insurance."

To Hamilton and his contemporaries, the regulation of all forms of insurance was a familiar exercise of governmental power. It is true that there were at that time few life-insurance companies in the country. The oldest company in the world, the Equitable, of London, had been founded less than thirty years before, and the growth of the life-insurance idea was so slow that it was not until several decades later that the business began to be what it now assuredly is,—a conspicuously beneficent instrumentality of civilization.

There were, however, at the time of the adoption of the Constitution, a number of fire and marine insurance associations, both

foreign and domestic; and these commercial enterprises had been, in all civilized countries, the subject of governmental supervision, at times repressive and at times fostering. Thus, during Elizabeth's reign, the English Parliament in 1601 so far recognized marine insurance as the handmaid of commerce, and a valued and almost indispensable factor in commercial intercourse, that it provided an arbitration board of "grave and discreet merchants" to adjust controversies between insurer and insured.

Early in the development of insurance, attempts were made to make it a governmental function, and its direct relation to the great ends for which all government was instituted was early recognized. Thus, after the fire of London, in 1666, that city attempted to engage in fire-insurance, but the courts held that such business was beyond its corporate powers. Twenty years later, in a dispute between two existing fire-insurance companies, the right of the Crown to supervise the business and compel contribution by it to the support of the fire department was asserted and recognized.

Life-insurance, however, commended itself less to governmental favor, and this for the obvious reason that, in the earlier stage of its development, it was little better than a wager, as there were no adequate tables of mortality upon which the ascertainment of life expectancy could be scientifically adjusted. It was natural, therefore, that governments should discourage a business in which mere chance was to so large a degree a factor, especially as wagering upon life had in lawless times an obvious tendency to murder and other crimes. Thus, the ordinance of 1570 in the Netherlands, that of 1598 in Holland, that of Sweden in 1661, and that of France in 1681, all forbade wagers upon human life as against public policy. The value of annuities, however, was recognized, and attempts were early made to have them serve the purposes of fiscal administration. Thus, a Neapolitan, Lorenzi Tonti, proposed to Mazarin to issue a public loan in the form of annuities, the last survivor to receive the aggregate annuities upon all the lives of the annuitants; and Louis XIV, in 1689, issued such a joint annuity, which terminated in 1726 with the death of a female annuitant, who at that time had an annual income of over $350,000. The effect of such wagering upon life was so demoralizing that tontine insurance was forbidden in France in 1770.

A century before, John De Witt, Grand Pensioner of Holland, had reported to the States General a plan for the sale of annuities upon a scientific basis, and in 1692 the English Government sold annuities without the tontine feature. In 1786, William Pitt attempted to convert a portion of the public fund into such annuities.

When Hamilton, therefore, included the regulation of policies of insurance within the federal power to regulate commerce, he instanced a power so familiar to all his contemporaries that he could well say that its existence admitted "of little, if any, question"; and I am not aware that, in the subsequent discussion of the constitutional question, either Jefferson or Lincoln took issue with Hamilton as to this particular claim. President Washington sustained Hamilton's theory as to the incorporation of a national bank, and in this the Executive Department was subsequently sustained by the Supreme Court of the United States, in the famous case of McCullough *vs.* Maryland, in which decision Marshall's analytical powers shone so resplendently.

Notwithstanding this claim of power, and the immense growth of insurance during the nineteenth century, and the intimate relation which it obviously bears to commerce, the Federal Government never legislated with reference to insurance, until, in the year 1903, it created the Department of Commerce and Labor. This Department was given power

"to gather, compile, publish and supply useful information concerning corporations doing business within the limits of the United States *as shall engage in interstate commerce or in commerce between the United States and any foreign country, including corporations engaged in insurance.*"

This language fairly implies a declaration by the legislative branch of the Government that insurance may be a part of interstate or foreign commerce. The House Committee on Interstate and Foreign Commerce, to which this bill was referred after it had passed the Senate, recommended an amendment to create a bureau of insurance, "to exercise such control as may be provided by law over every insurance company transacting business in the United States outside of the State, Territory or District wherein the same is organized," giving as their reason the fact that the business of insurance was "essentially a matter of inter-

state business, and hence largely beyond any effectual control by State authorities." The constitutionality of the proposed amendment was challenged in a debate in the House, but it was adopted by a vote of 98 to 81. In conference, the attempt to create a separate bureau was abandoned, and the power of the new Department was restricted to the mere collection of statistics.

At present, two bills for the federal regulation of insurance are pending in Congress, one introduced by Congressman Morrell and the other in the Senate by Senator Dryden, the latter containing a comprehensive scheme for such regulation.

The failure of Congress to legislate with reference to insurance until more than a century after the adoption of the Constitution does not disprove the existence of the power, for the same inaction is to be noted with reference to any Congressional regulations of interstate commerce. The plenary power of Congress over interstate carriers was never exercised until the passage of the Interstate Commerce Law of 1887. The commerce power has been well defined to be the "sleeping giant" of the Constitution; and it is only within a few decades that its true place, as the corner-stone of our federal system, has been appreciated.

Another department of the Federal Government had, however, previously recognized the fact that insurance was essentially commerce. In his annual message of December 2nd, 1895, President Cleveland referred to the "vast business" which American insurance companies had developed in foreign countries; and, after referring to the restrictive legislation in Prussia, he expressed the opinion that we should not "silently acquiesce in vexatious hindrances to enjoyment of our share of the legitimate advantages of proper *trade relations*."

Our foreign insurance interests, therefore, were classed with our foreign trade; and, during each subsequent administration, the State Department has repeatedly used its good offices to protect the foreign interests of American insurance companies.

It may be noted in passing that the importance of this feature of our trade relations is imperfectly appreciated. On December 31st, 1903, two companies alone (the Equitable and the Mutual Life, of New York,) had 366,725 outstanding contracts of life-insurance in foreign countries, which represented a total liability of $980,055,792, and they received in that year from these policies premiums amounting to $42,027,980.25.

In protecting a commercial interest of this magnitude, the State Department has been embarrassed by the previous failure of Congress to recognize insurance as a matter of federal concern. When, for example, Prussia, in 1895, threatened to exclude American companies from its borders, the insurance departments of certain American States adopted retaliatory measures to exclude German companies. These orders of State superintendents were transmitted through the State Department to the Prussian Government, which naturally paid slight, if any, attention to the action of individual States.

Remarkable as has been the growth of life-insurance in all civilized countries, in none has its progress been so extraordinary as in the United States. Our American companies have, at present, over 17,000,000 contracts of life-insurance outstanding, and their annual premium receipts exceed $500,000,000, and their accumulated assets aggregate $2,000,000,000.

Without awaiting the recognition of Congressional enactment or executive order, insurance, through the agencies of steam and electricity, has nationalized itself. It has overleaped territorial boundaries and outgrown the supervisory power of the individual States, and President Roosevelt, therefore, only recognized an established economic condition rather than a constitutional theory when, in his last message to Congress, he said:

"The business of insurance vitally affects a great mass of the people of the United States, *and is national and not local in its application.* It involves a multitude of transactions among the people of the different States, and between American companies and foreign governments. I urge that the Congress carefully consider whether the power of the Bureau of Corporations cannot constitutionally be extended to cover interstate transactions in insurance."

More recently, in discussing the unhappy difficulties in the Equitable Life Insurance Company, which have so strongly emphasized the necessity of a single supervisory power, the President again said forcibly, although unofficially:

"It seems to me that what has occurred to the Equitable Life furnishes another argument for effective supervision by the National Government, if such supervision can be obtained, over all these great insurance corporations which do an interstate business."

There are peculiar reasons why insurance should be submitted to strict governmental supervision. Its success depends

upon a multiplicity of contracts in order to establish a safe average, and even when conducted on the mutual plan, as distinguished from a joint stock company, such multiplicity (in the case of the Mutual Life Insurance Company, of New York, over 600,000 policy-holders) necessarily makes it impossible for the policy-holders to exercise any but an indirect control over the affairs of the company. Moreover, many of the contracts are conditioned upon the death of one of the contracting parties, and it is eminently proper that the State should supervise the faithful execution of the contract by the surviving party. The business requires such special knowledge that few, if any, have the training necessary to conduct it wisely. The expectancy of life must be determined scientifically. The earning power of money must be determined in advance by able economists. The investment of enormous accumulations of assets requires financial skill and experience of the highest order. The intricate mathematical calculations require exceptional actuarial skill. An infinitesimal fractional variance in such calculations may mark the difference between a sound proposition and an illusory scheme. The collapse of so many fraternal assessment societies shows the danger to the public of unregulated insurance; and, as the public can have neither the knowledge nor the aptitude to solve for itself these intricate questions, reasonable governmental supervision is not only desirable but imperative. Almost every civilized country has appreciated this necessity, and, in almost all, the insurance department is a bureau of the Department of Commerce.

Little need be added to the able article in the last number of this REVIEW, by Mr. S. Herbert Wolfe, on the folly of the division of authority. If it be a truism that "no man can serve two masters," it is also true that no insurance company can satisfactorily serve fifty-one. No legitimate commercial enterprise can be properly conducted which depends for its very existence, as well as its method of operation, upon the caprice of an official. Under the present system, insurance companies can obtain their right to do business, in a State other than that of their origin, only upon such terms, however capricious and arbitrary, as that State may direct; and, what is more mischievous, their right, when once admitted to do business and to fulfil solemn and continuing obligations, exists only by sufferance, and is liable to immediate destruction by the mere whim of a State official.

The evil of conflicting commercial regulations, which led to the adoption of the Constitution by the colonies, still exists in the matter of insurance, for individual States have vied with each other in passing restrictive, discriminative and retaliatory legislation against the insurance corporations of other States.

The United States is the only government in which such power is decentralized and permitted to remain in a constituent State. Prior to 1901, the various German States regulated insurance within their respective borders; but, by the Imperial Statute of May 12th, 1901, the entire supervision of private insurance companies was vested in the so-called Imperial Supervising Office.

It is noteworthy that, in the last important attempt to draft a constitution for a federated republic, the power over interstate insurance transactions was vested in the central government; for the Commonwealth of Australia, by the Constitution of 1898, vests in Parliament the power "to make laws for the peace, order and good government of the Commonwealth," and in enumerating these, the article includes: "14. Insurance other than State insurance, also State insurance extending beyond the limits of the State concerned."

In France, the entire subject of governmental supervision was exhaustively considered by the Chamber of Deputies in the session of 1903, and a law was passed which vested such supervision in a bureau of the Ministry of Commerce.

Uniformity of contract in a given class of insurance is a basic principle of the business, but many States attempt by legislation, often injudicious, to read into insurance contracts statutory provisions which, applying only to contracts in a particular State, are destructive of uniformity.

The visitorial power of State departments has likewise been at times the subject of the gravest abuses. The expense of such examinations too often rests in the discretion of the visiting superintendents. While, like Warren Hastings, they may marvel at their own moderation, the burden to the company of these examinations by insurance departments of over fifty States and Territories is excessive. While many States have admirable insurance departments, against whose conduct no just complaint can be made, yet in others, arbitrary power over foreign companies has at times degenerated, as arbitrary power is apt to do, into impudent demands that are little better than official blackmail.

The burden of expense has, in many instances, exceeded all legitimate bounds. In the year 1902, twenty-eight States received from insurance companies, exclusive of property taxes, over $5,000,000 in excess of the cost of such supervision. One single State is said to have collected more than the Federal Government requires to examine all the national banks in the country; and this unnecessary burden, aggregating each year $10,000,000, ultimately falls upon the policy-holder and is imposed not upon a money-*making*, but a money-*saving*, enterprise, whose lofty purposes and beneficent results ought to relieve it of any form of license taxation. A tax upon the moral obligation of insurance is little better than a tax on morality. It burdens the policy-holder in the recognition of a moral duty to safeguard those dependent upon him from the injurious consequences of his death. It is certainly a tax on thrift. The arbitrary expenses of inquisitorial examinations, which too often rest, as to amount, in the discretion of an insurance superintendent, is a form of Turkish satrapy which is utterly at variance with the spirit of our institutions. For nearly half a century the insurance companies have vainly protested against the intolerable burden of such vassalage to many masters, and they naturally welcome the declaration of President Roosevelt that the time has come for the Federal Government to assume the duty of supervising this important and beneficent instrumentality of modern life.

The difficulty is a legal rather than an economic one. Few reasonable men differ with respect to the advantage of having one central supervising authority, rather than many; and the federal regulation of insurance would have come to pass many years ago but for the decision of the Supreme Court in the case of Paul *vs.* Virginia, in the year 1868. The validity of a State statute, requiring foreign insurance companies to obtain a license as a prerequisite to business, was there in question, and its constitutionality was challenged on the ground that such an act was inconsistent with the federal powers to regulate commerce. The Court, speaking by Mr. Justice Field, held that

"Issuing a policy of insurance is not a transaction of commerce. . . . These contracts are not articles of commerce in any proper meaning of the word. . . . Such contracts are not interstate transactions, though the parties may be domiciled in different States. The policies do not take effect—are not executed contracts—until delivered by the agent of Vir-

ginia. They are then legal transactions and are governed by the local law."

This decision excited widespread interest, and has been freely criticised for many years by leading constitutional lawyers; but, as recently as the year 1901, in the case of Nutting *vs.* Massachusetts, the Court reaffirmed the doctrine, but in somewhat more guarded language, for Mr. Justice Gray, speaking for it, said:

"A State has the undoubted power to prohibit foreign insurance companies from making contracts of insurance, marine or otherwise, within its limits, except upon such conditions as the State may prescribe, *not interfering with interstate commerce.*"

Apparently, Mr. Justice Gray, who weighed his words with exceptional care, contemplated the possibility that, in some phases, interstate insurance transactions might be a part of interstate commerce, and therefore beyond the power of the State to injure or destroy; but, unfortunately, he failed to explain the meaning of his qualification.

A more successful attempt to impair its authority was made, a year later, in the so-called Lottery Cases, which were argued three times, and not finally decided until February, 1903. The Supreme Court had under consideration the constitutionality of a Federal Statute, which forbade the transfer by interstate carriers of a lottery ticket from State to State, and it was insistently claimed that as, under the authority of Paul *vs.* Virginia, an insurance policy was not an article of commerce, a lottery ticket, also an aleatory contract, could not be such an article of commerce. Apparently, there was no logical distinction between the two; for, if a lottery ticket, forbidden by the police laws of nearly every State, and which only promises to pay upon the remote contingency of a successful drawing, can be an article of commerce, then a contract of insurance, which promises to pay upon a contingency which must surely happen, must *a fortiori* be a subject of commerce.

By a vote of five to four, the Supreme Court finally sustained the validity of the federal act, and distinctly held that a lottery ticket was an article of commerce. It is significant that, although the opinion of the minority justices referred at length to Paul *vs.* Virginia, and subsequent cases, as inconsistent with the decision of the Court, the opinion of the majority made no attempt to suggest a logical distinction between a policy of insur-

ance and a lottery ticket; and it may be fairly contended, therefore, until the Supreme Court declares otherwise, that the Lottery Cases have overruled Paul *vs.* Virginia, at least to the extent that the former case held that a policy of insurance could not be a subject of commerce.

Paul *vs.* Virginia, however, was also decided on the ground that, when an agent of a foreign insurance corporation delivers to a citizen of an admitting State a policy of insurance, such transaction is local and not interstate; but insurance companies could subject themselves to federal authority in this respect by making a direct delivery from the home office to the insured in another State. The destructive effect of Paul *vs.* Virginia upon federal supervision was caused by the sweeping declaration that a policy of insurance could not be a subject of commerce, and not by the dictum as to the place of delivery.

If it be permitted in the great court of public opinion to criticise the reasoning of the Supreme Court—and, as Homer nodded, so our great tribunal has on more than one occasion deliberately confessed its own fallibility by reversing a decision to which it had adhered for more than a generation—then I submit that the Supreme court, in Paul *vs.* Virginia, placed an exaggerated estimate upon the mere delivery of a policy, as the essential act of an insurance transaction. Undoubtedly, such delivery may mark the commencement of the contractual obligation thereby assumed, but the policy merely evidences the transaction of insurance, which, conceivably, could take place without either contract or delivery. For the purpose of federal power, insurance should be regarded, not as the mere delivery of a policy, but as the reciprocal transfer of money and credits from insurer to insured. Each year, more than $500,000,000 passes from State to State in fulfilling the contract of insurance, a form of commercial intercourse which surpasses in magnitude all of the interstate and foreign commerce of any kind that existed in the United States at the time of the adoption of the Constitution. A contract to exchange a ton of coal for money may not be commerce, but the actual exchange is; and, by parity of reasoning, a contract to pay a sum of money for indemnity, in consideration of an ultimate return, whether certain or contingent, of another sum of money, may not be commerce, but the actual exchange of reciprocal pecuniary benefits would seem to be as much commerce as the exchange of

any other commodity. The Supreme Court, however, had apparently thought otherwise.

The Supreme Court has never had occasion to consider the validity of a federal statute to regulate insurance. All previous decisions were predicated upon State statutes; and, if the Dryden bill should become a law, and its validity be questioned, the Supreme Court will be assisted in recognizing federal authority, not only by its more recent decision in the Lottery Cases, but also by the fact that, since their decision in Paul *vs.* Virginia, Congress and the Executive Department have recognized by legislation and Executive declaration the federal nature of insurance. Unquestionably, neither Congress nor the Executive can enlarge the constitutional domain of government by a mere declaration, but the Supreme Court has repeatedly held that it will pay great respect to any declaration of coordinate branches of the Government as to what is an article of commerce.

No attempt, moreover, has been made to sustain a federal insurance law under any other express clause of the Constitution. The national banks are private enterprises, and are connected with the federal fiscal system by a very slender thread, and yet their constitutionality has been sustained. I think it would be possible to draft a law which would require insurance companies to serve the fiscal purposes of the government to such an extent as would bring them within the scope of federal power. Insurance is but a form of cooperative banking, and by enlarging its purposes the end referred to might be attained.

If, however, Congress is without present power under the Constitution, then the serious question presents itself whether the evil to be remedied is not of sufficient magnitude to justify a constitutional amendment. Personally, I think it is. Conditions have arisen of which the framers of the Constitution had no conception whatever. An amendment should be passed, if necessary, to regulate insurance, the importance of which can be measured by the fact that, as an institution, it collects more money each year than the Government itself, disburses more than the receipts of all the custom-houses, and administers an accumulated treasure greater than all the money now in circulation in this country or the entire capital of our national banks.

JAMES M. BECK.

"THE NEGRO A BEAST."

BY EDWARD ATKINSON.

In one of the later numbers of "De Bow's Review," published before the Civil War, an article appeared purporting to be from a scientific writer of considerable repute as an ethnologist, who held that in the story of Adam and Eve the serpent had been much maligned. He held that the Hebrew word which had been translated "serpent" in telling the story of the temptation also meant "black," and that it was the Negro gardener who induced Eve to eat the apple, and had therefore been doomed to slavery.

That pseudo-scientific theory has lately been repeated in a book which is the most sacrilegious book ever issued from the press in this country, entitled "The Negro a Beast." It emanates from a building known as the Bible House of St. Louis, and is said to be securing a very wide circulation among the poor whites of the Cotton States, among whom its apparent purpose is to create animosity and to promote violence in dealing with the colored race. This writer repeats the theory of "De Bow's Review" with a variation, pretending that the Negro is not a descendant of Adam and Eve, therefore not a man; but that he is descended from beasts, and that therefore no Negro has any of the rights of human beings and may be treated as a beast. This is the last ditch in which this folly will be submerged.

This pernicious book is, apparently, a part of the political machine which is being made use of by a political faction to deprive the colored people of the old Cotton States of all their political and civil rights. It is sure to fail.

There is another class of books, the tendency of which is to mislead the present generation of Northern readers who are not familiar with the conditions of the South before the Civil War. These are the excellent novels of Southern writers of high repute,

giving most attractive and sincere pictures of the patriarchal aspect of slavery, especially in Virginia. They prove the high character of many of the Virginia planters; they bear witness to the masters' care for the welfare of their slaves; how the slaves were taught to read in spite of legislative penalties, and how the marriage rite was respected among the colored people so long as they were under the control of these high-minded planters.

What does not appear in these books is the fate that very often befell the same bodies of Negroes when the old planters' estates were either divided among many heirs, or divided under such conditions that the personal chattels had to be sold. When that time came there could no longer be any respect either for the marriage of the Negroes or for any quality in them save two: their capacity to be worked out on the cotton-fields, or their capacity to generate human chattels to be sold for work on the cotton-fields.

These pictures of the patriarchal type are true, but they represent but a small fraction of the larger slave-owners.

It would not be judicious or expedient to rake up the old embers and light again the fires of controversy on the dead past; but those embers are being lighted again by the rash and headstrong political leaders of the Cotton States. It becomes necessary to recall attention to the damning facts which brought about the conditions under which, and by which, Southern men are now being influenced, and to renew the contest with the same domineering caste or faction that is now attempting to degrade the colored man, and to keep him on the level of the beast by disfranchisement and by imposing every other disability upon the colored people that it is in the power of reckless legislation to impose. This faction is already condemned to failure.

And now comes the most remarkable book ever written by a colored man (unless we except the novels of Dumas), which has been lately published under the title of "The Aftermath of Slavery," by Dr. W. A. Sinclair of Howard University.* In this book, the attention of Northern men is called to the manner in which Northern white men have been disfranchised by the disfranchisement of the Southern Negroes—the older Cotton States, from Louisiana to South Carolina, inclusive, having twice the number of representatives in Congress that their white population would give them (twice the number that New England has,

* Small, Maynard & Co., Boston.

or that Ohio has, or that many other sections have), owing to the counting of the colored people as units in the distribution of members of Congress, while the Negroes are deprived of their rights under the disfranchising acts, thus giving to every representative from this so-called Southern Cotton Kingdom twice the weight in Congress that one representative has from New England, or from the Pacific States, or from Illinois, or from Ohio. The votes of twenty-six representatives in Congress are neutralized by the votes of twenty-six from the old Cotton States representing Negroes counted but disfranchised.

There is one aspect of this question which has failed to attract the attention of Dr. Sinclair, which I now propose to present. The present effort to present the patriarchal aspect of slavery only serves as a screen to cover up the horrors of slave-breeding. It will fail.

The effort to keep the Negro in the position of a beast of burden will also fail. The great economic forces now in action, and the facts and figures that are now being disclosed, will crush out that influence; and the effort to prove that the Negro is a beast, not a descendant from the same parents as white persons, would simply prove that a very large portion of the white citizens of Virginia and other border States were also beasts. It is now declared that not twenty per cent. of the colored people of the South are of pure Negro origin, and that the race is pervaded by the "best white blood" of the States in which they were born. Man and beast do not propagate; were the generators of the best blood of Virginia beasts?

In 1830, the curse of cotton had spread over the "sunny Southland," displacing almost every other crop. The Atlantic States had formerly been full of large game,—buffalo, deer, wild turkeys: later, full of cattle and stock of every kind; but, after the curse of cotton came down upon these States, Dr. Cloud of Alabama pictured the conditions when he said that "the cotton-planters had blasted the prairies and gullied the hillsides, and, being in possession of the best forage plants of the world, had rendered themselves dependent upon the North for hay to feed their cattle." The profit from cotton-growing had brought the product in 1830 for the first time to 1,000,000 bales, from 35,000 bales in 1793-4, in a single generation after the invention of the Whitney cotton-gin. In each subsequent decade, in favorable

years, 1,000,000 bales were added down to 1850; between 1850 and 1860 nearly 2,000,000; the cotton crops were as follows:

1830—1831	1,038,847 bales.	1851—1852	3,126,310 bales.
1839—1840	2,177,838 bales.	1859—1860	4,861,292 bales.

These conditions created such a demand for colored labor that it could not be met in the Slave States in the Cotton zone. It was met by a large supply from these border States, the draft from the breeding States closely corresponding to the increase in the cotton crop; yet the supply did not suffice.

De Bow, the ablest economic student and writer of the South in that period, presented a remarkable thesis, in which he held that, the higher the price of cotton, the less would be the relative product, giving as a reason that each cent a pound added to the price of cotton also added a hundred dollars to the value of the human chattel necessary for its cultivation. The supply of human chattels could not be bred fast enough to meet the necessary demand; then came the effort to reopen the slave trade, which immediately preceded the attempt of the Cotton States to secede from the Union.

It had become plain to the shrewd and far-seeing leaders of the slavocracy that, unless human chattels could be produced or imported in greater numbers, the system of slave labor in these older Cotton States would be destroyed by economic forces. The Germans and others in Texas were raising larger crops of cotton per acre and of better quality than could be produced under the wasteful and costly system of slavery upon the partially exhausted lands of the old Cotton States. The chattel-producing States could not supply the demand; the price of field hands and of good breeding-women was constantly rising. The effort to make Kansas a slave State failed; the Indian Territory when open was sure to be made free. In this way the astute leaders foresaw that the old Cotton States would be surrounded by free-labor cotton-farms, with which it would be impossible for slave labor to compete.

This led to the last desperate effort to reopen the slave trade, and then to secede. The costly system of slave labor would have destroyed itself later, had it not destroyed itself by war.

These facts and forecasts were laid down in my first pamphlet upon "Cheap Cotton by Free Labor," published in 1861. Every prophecy therein made, including the development of the cotton-

seed oil industry, has been more than fulfilled. Yet the work is but half accomplished, and will not be completed until the equal right of every citizen, without distinction of race, color or condition, shall have been fully established on the foundation of the common school.

On my last visit to the South, I met one of the largest cotton-growers and cotton-spinners in the whole section, the son of one who had formerly been the largest planter in his State. He said to me: "We cannot compete with you in Massachusetts until we have established common schools with compulsory attendance for every child in South Carolina, white or colored. That is what has made you prosperous; some of us know it now, and all of us will soon know it."

Under such leaders of intelligence, the Southland will presently be redeemed from its present political misleaders, and will move on the way to the equal conditions of prosperity now enjoyed by all other sections of our common country.

It may also be observed that, from the time of Jefferson down to the decade between 1820 and 1830, many efforts were made to relieve Virginia and other border Slave States from the burden of slavery. Virginia dedicated her great Northwestern Territory to freedom when she granted all her rights to the Nation. But in the decade beginning 1830 all these efforts ceased, for the alleged reason that the Northern Abolitionists had begun to meddle with what did not concern them, and that these States would maintain their own rights to manage their own domestic institutions. The breeding of human chattels for sale to the Cotton States had become the most important and profitable branch of their commerce, and its profits overcame all the influences in support of freedom. How this influence worked is made plain by the figures of the census.

A few exemplars of the patriarchal system tried to maintain humane conditions, but their efforts were futile. Year after year, the slave auctions received larger consignments, and numbers of men and women chained together were weekly driven even from the District of Columbia, even from the capital of the Nation, down to the cotton-fields, to be worked out on the plantations.

These are well-known facts. These statements are based on observation and experience; on the records of history and the records of sales of human chattels in the newspapers of the

South. All records give proof of these abject conditions, by which the present conditions of illiteracy and ignorance have been brought upon these unfortunate Cotton States. Ignorance and illiteracy exist among blacks and whites alike—from which the blacks appear to be emerging more rapidly than the poor whites of the coast lands and in the Piney Woods regions of these States.

The present generation is not responsible for these conditions, but is subjected to the necessity of finding a remedy. This is a national question, and is now recognized as being so.

Present conditions in these old Cotton States bar the way to immigration, either from other sections — unless in colonies capable of establishing a government of law within their own boundaries—or, yet more, from Southern Europe, especially from Italy. The first demand of the intelligent Italian immigrants who are most desirable is for schools for their children. Until a complete system of common schools is fully established, from Mississippi to North Carolina, inclusive, foreign immigrants of the right type, especially Italians, will pass by them into Texas, Oklahoma and other parts of the great Southwest.

A profound change has lately come over even the old Cotton Kingdom. From North Carolina to Alabama, apparently not yet in Mississippi, it is no longer the man who was active in the war that is held in highest repute for the highest office; it is the "educational governor" who is most known, each now being ambitious to equip the State and to give to its people a true Democracy in place of the bastard Democracy that now rules,—the fact being now recognized that the only safe foundation for the government of the people by the people is the public school.

Under the curse of cotton and the oligarchical system of slavery, economic forces tended to the increase of wealth of the few, and to the degradation not only of the Negroes, but of the great mass of the whites. Slavery destroyed itself by civil war, and all the economic forces are now working rapidly to the uplifting of both races. The great tidal wave of education and the establishment of the common school in these backward Cotton States has become a national question, against which the resistance of a political faction will be powerless. The greatest need is in the districts where cotton has been the chief crop; the renovation of the soil will be assured in the same process. It is in these cotton sections that the greater number of illiterates have been found,

both white and black. When a true education is in full vigor, the wasteful system of agriculture will pass; and two bales of cotton will be made on the same plot of land that now yields but one.

The illiteracy of the people of the mountain section above the cotton belt where few slaves were ever held, sometimes called the "Land of the Sky," is of a different type. These mountain people were uninformed rather than ignorant; and, when brought out from their isolation into the textile-factories and other arts, they rapidly prove their ability. To them it is a step upward, as it was to the farmers' daughters of New England, fifty years ago, to leave their isolated dwellings even to work in a cotton-factory fourteen hours a day for meagre earnings. But, like the New England women, as they become informed they demand shorter hours, higher wages and better conditions of life, soon passing through the monotonous conditions of the textile-factory to take up the lesser arts which demand more individual character, yield much higher wages or earnings and far better conditions of life. These people of the mountains have been isolated by the surrounding pall of slavery, so that English forms of speech, obsolete words and practices still prevail among them. They spun and wove their own garments by hand, made their own iron in the wayside forge, and, being largely of Scotch-Irish origin, gave to the South her strongest men,—Calhoun, Stonewall Jackson, William L. Wilson and many others. Their descendants and those of the Huguenots of South Carolina are today the coming leaders who will suppress the reactionists, and save these States from the political and economic suicide to which they have been tending.

Under former conditions the social system of the Atlantic Slave States outside the mountain section was one of the strictest caste. There was no race prejudice; there could not be, where nearly every well-born white child was nursed by a Negro mammy, and where probably half the children born of colored women had white fathers. These very conditions developed the most rigid system of caste that ever prevailed in this country.

The patriarchs who cared for their slaves, and who tried to bring them up under Christian conditions, were separated distinctly from the slave-breeding planters. The planters as a class regarded slave-dealers almost as outcasts, although they employed them for purposes of profit. They looked down upon the over-

seers, whom they were compelled to employ in the conduct of their plantations, as inferior persons holding no position in society.

The colored people were divided in the same way. The household Negroes looked down upon the field hands; the field hands belonging to an old family plantation looked down upon the "niggers" in the towns. Whites and blacks alike of the household class, known as "quality," looked down upon the poor whites. Even the Negro field hands regarded the "white trash," as they were called, of the coast lands as a class of beings having even less relation to humanity than the Negroes themselves are now considered to have by the Bourbons and reactionists.

It is out of these conditions that the present prejudice of caste has been developed. Southern men even of high repute and education are almost incapable of throwing off the false conceptions regarding races which have come down to them through generations of ancestors. Calhoun and his associates earnestly believed that the only possible relation in which whites and blacks could live together in the same State was that of master and slave. They were intellectually honest.

There were 4,000,000 slaves in the South in 1860. It cost the North $4,000,000,000 to remove the curse of slavery from the Southern States. The price of liberty, and of the emancipation of the white man as well as of the black man, was at the rate of $1,000 for every slave existing in the land in 1860. This is an exact estimate. The expenditures of the Union during the four years of civil war were, disregarding fractions, $4,000,000,000 in excess of the normal rate of expenditure in time of peace.

It is not to be wondered at that the ignorant and illiterate masses of the Cotton States should be jealous and envious of the greater advancement of their colored neighbors. But it is difficult to comprehend the conditions of mind of otherwise intelligent men, now lessening in number very rapidly, who regard the Negro as of an inferior rather than of a backward race. Many most intelligent Southern men have got beyond this stage, and all will ere long. One of my most valued correspondents, son of one of the great planters, of late holding judicial position in the South, has written me that he regarded the Negro race as, in some respects, the best race in the world,—their virtues more than counterbalancing vices generated under the conditions of slavery. Among these virtues he named their eagerness for edu-

cation; their religious aspirations, as yet misdirected; and, above all, their freedom from vindictiveness and malice, by which the Southern women and children were saved from the horrors that might have occurred, had any other race than the Negro been in the position in which the Negroes were left on the scattered plantations of the South while nearly all the white men entered the Confederate armies. Fortunate, indeed, is it that the colored race is not vindictive. Who can imagine the appalling quality of the race problem, if a vindictive race, oppressed as these colored people have been for centuries, had risen in insurrection and laid waste the Southland when the men were in the army?

The colored people, moved either by their imitative qualities, emulating the position of the white man through their almost overconfidence in the education of the schools, and in their earnest desire to protect themselves from the brutality of their more degraded white neighbors, have segregated themselves and established their own communities in many counties of the South.

But even these humane qualities of the colored people may be changed by violence, lynching and privation of civil rights. In many places they have turned upon their oppressors, and in some sections have formed prosperous communities of their own, in which they can defend themselves and their property.

The New York "World," speaking of the achievements of the colored man since his emancipation, gives this testimony:

"He owns 137,000 farms and houses worth $725,000,000; he has personal property to the value of $165,000,000; and he has raised $10,000,000 for his own education; to propose that the Nation shall step backward in the face of such a stepping forward, is a curious form of argument to prove the superiority of the dominant white men."

But this is what the misrepresentatives of these Atlantic Cotton States are trying to do, at the risk of provoking a war of races that would put their States back a half-century into a worse barbarism than that of slavery. Southern men of intelligent thought, who will ere long become the true leaders of the South, fully comprehend the moral stupidity and economic folly of the policy now being followed in most of these States.

The present political misleaders declare that the Negro or colored laborer is the best in the world, necessary to meet the existing conditions of the South, and are imposing fines upon the emissaries of other States who may try to induce colored laborers

to migrate from the Atlantic coast; and yet, with inconceivable stupidity, they declare openly in the presence of these very laborers that they are inferior and incapable, that they are generated by beasts, and that they are only fit to be harnessed to a plough alongside the mule. The force of folly could no further go. The disfranchisement of citizens of the United States, counted as units, cannot stand when the North comprehends that for every Negro disfranchised one white man, holding these stupid and brutal opinions in the South, counts double in Congress and in the Electoral College. When the North becomes aware that one intelligent voter in the North is disfranchised with every colored citizen in the South, the representation in Congress will be adjusted under the mandatory provisions of the Constitution, so as to remedy this wrong.

The Island of Jamaica gives a complete example. For fifty years after emancipation, the same effort was made to keep the Negro in the sugar-factory and on the sugar-plantation, by putting differential taxes on his supplies, on the roof of his cabin and on his windows, this effort culminating in the horrors of 1865 under Governor Eyre. The disgrace of these conditions aroused the English people to the folly and injustice of the course which corresponded to the one which is now being pursued in the Atlantic Cotton States. A sane and just method of administration was adopted in Jamaica under humane governors; the colored people were freed from their disabilities, encouraged in their efforts to make progress in art and industry. To-day the Island of Jamaica is peaceful; white women, without escorts, pass over the island in perfect safety, dwelling for weeks on the hills among the peasants, all of whom are colored. Industry is progressing, and the question of color has disappeared in a large community where the colored people outnumber the whites in greater measure than in any State in this Union.

In proof of the conditions developed in this treatise, the subsequent table will give the facts and figures.

In the compilation of the census of 1900 the colored population, in part or wholly of Negro blood, are termed Negroes, to distinguish them from other colored races.

The relative gain in the Negro population of the Cotton States and of the border States from which they derived their supply of human chattels is disclosed by the census tables.

NEGRO POPULATION BY STATES.*

	1830.	1840.	1860.
States Which Supplied Field Hands.			
Delaware	19,147	19,524	21,627
Maryland	155,932	151,815	171,131
Dist. of Columbia	12,271	13,055	14,316
Virginia	517,105	498,829	548,907
Kentucky	170,130	189,575	236,167
	874,585	872,798	992,148
States Which Imported Field Hands.			
No. Carolina	265,144	268,549	361,522
So. Carolina	323,322	335,314	412,320
Georgia	220,017	283,697	465,698
Florida	16,345	26,534	62,677
Alabama	119,121	255,571	437,770
Mississippi	66,178	196,577	437,404
Louisiana	126,298	193,954	350,373
Texas			182,921
	1,136,425	1,560,196	2,710,685

The Negro population of the Chattel-producing States slightly diminished between 1830 and 1840. Between 1830 and 1860 it increased only 117,563, or thirteen and one-half per cent.

On the other hand, the Negro population of the Chattel-consuming States increased from 1830 to 1840 423,761, or a fraction over thirty-seven per cent., and 1,574,260 between 1830 and 1860, or nearly one hundred and thirty-nine per cent.

It will be observed that the increase of colored population in the Chattel-producing and Chattel-consuming States, combined, carried the number from 2,011,010 in 1830 to 3,702,833 in 1860, constituting nearly the whole of the slave population of the country at the beginning of the Civil War. The increase in these States numbered 1,691,823, at the rate of eighty-four per cent. At this rate, the production of human chattels, in specific Cotton States themselves, numbered 954,597. The number of chattels imported from the producing States was a little under 740,000.

With a constantly increasing price, at a fair average, the income to the Chattel-producing States, at a fraction over four hundred dollars each, yielded a revenue during the thirty years of $300,000,000, or $10,000,000 a year, making this a much more profit-

* Tennessee is omitted because a large section is in the best cotton belt and the migration was from one section of the State to another.

Arkansas and Missouri are omitted because they have always been more of the Western than Southern type, their progress having been greatly retarded by slavery before emancipation.

able branch of productive energy than continuing the cultivation of worn-out tobacco lands or other branches of agriculture.

The principle of liberty and of equal rights, established by Washington, embodied in the Declaration of Independence by Jefferson, enacted in the Constitution by Madison, supported by Patrick Henry and sustained by John Marshall, all of Virginia, put into force by all the great Southern patriots of the Revolution, developed by Adams and Hancock and taught in every common school of the North, cannot be suppressed by the degenerate successors of these great statesmen, whose names are now inscribed upon the frames of the chairs in the Senate and House of Representatives in Washington of which the seats are now vacant. It is the principle by which the Nation lives and moves and has its being. The moral, economic and political forces, even in the old Cotton States, are now moving to fill the chairs from which the misrepresentatives of the Southland will soon be removed to nameless obscurity. The reconstruction of the Nation will then be complete, and that day is not far distant.

The writer was a Free Soil voter in 1848; he was conversant with all the conditions of that and the war period. After slavery had destroyed itself in the Civil War, he and other conservative men concurred with Governor John A. Andrew in opposing unrestricted Negro suffrage, advocating the enfranchisement of white and black alike under such equal conditions, without distinction of race or color, as each State might impose in the matter of educational, property or tax qualifications. Their efforts to establish these conservative conditions in respect to suffrage were defeated by the aggressive attempts of the unreconstructed people of the Cotton States to reduce the freemen to a condition of serfage worse than that of slavery.

Step by step, the utter lack of comprehension of the right methods of dealing with the race question forced upon the North the Thirteenth and Fourteenth amendments of the Constitution, and lastly the Fifteenth Amendment, under which it will become mandatory upon Congress to readjust the number of representatives in Congress and in the Electoral College to the conditions that are now being disclosed. When citizens are disfranchised on the color line in disregard of the organic law of the country, the representation of the States in which this wrong is committed must be reduced in due proportion. Before that necessity arises,

however, the sane and safe leaders of Southern opinion will suppress the reactionary element that now has a short and temporary control.

The following figures indicate the relative representation of white citizens in the Cotton States as compared to the representation of white citizens in different groups of Northern States:

COTTON STATES.

	Citizens, Colored.	Citizens, White.	Representatives, No. in Congress.	No. of White Citizens to each Representative.
La.	650,804	729,612	7	
Miss.	907,630	641,200	8	
Ala.	827,307	1,001,152	9	
Fla.	230,730	297,333	3	
Ga.	1,030,813	1,181,294	11	
S. C.	782,321	557,807	7	
N. C.	624,469	1,263,603	10	
	5,054,074	5,672,001	55	103,127
	5,672,001			
	10,726,075			

In the above States, colored citizens are disfranchised.

NORTHERN STATES.

	White Citizens.	Representatives in Congress.	No. White Citizens to each Representative
Illinois	4,734,873	25	189,395
Ohio	4,060,204	21	193,344
Maine	692,226	4	
N. H.	410,791	2	
Vt.	342,771	2	
Mass.	2,769,764	14	
R. I.	419,050	2	
Conn.	892,424	5	
Total	5,527,026	29	190,587
Cal.	1,402,727	8	
Colo.	529,046	3	
Idaho	154,495	1	
Montana	226,283	1	
Nevada	35,405	1	
Ore.	394,582	2	
Utah	272,465	1	
Wash.	496,304	3	
Wyoming	89,051	1	
Total	3,600,358	21	171,445
Ind.	2,458,502	13	
Wis.	2,057,911	11	
N. Dak.	311,712	2	
S. Dak.	380,714	2	
Total	5,208,839	28	186,030

In conclusion it will be observed that the States of Louisiana, Mississippi, Alabama, Florida, Georgia, South Carolina and North Carolina now elect, by counting disfranchised negroes, twenty-six representatives in Congress out of fifty-five. This number—twenty-six—is in excess of the number to which they would have been entitled under the census of 1900 on their white population counted separately.

The political leaders of these States cannot be so foolish as to suppose that the Northern States will submit to this disparity, after it has been made plain that the people of these States will not remedy the evil and restore the franchise without distinction of race, under such conditions of educational or property qualifications as may to each of them be deemed suitable.

It will, however, be very certain that, when it has been made plain that Congress will remedy this disparity and will take away from these States as many representatives as now stand for the disfranchised Negroes, the same political leaders who have been so keen to get them disfranchised will become as keen to have the franchise extended as widely as possible, without regard to race or color, in order that they may possibly maintain their present number of representatives in Congress and their proportional number of representatives in the Electoral College.

I have attained repute in the Cotton States by speaking plainly whenever I have met their leading men face to face, or have written articles in the Southern press. I have contrasted the past, the present and the future that is within their grasp; I have followed out the counsels of Governor Andrew to his friends, to enter upon a vigorous pursuit of peace. This treatise will create animosity and will bring out personal abuse and denunciation, but that will come from the very class of political misleaders who are retarding the progress of the whole South, and whose influence must be overcome by men of thought and comprehension and of true patriotism in the South itself, in whose support these facts are now made plain.

EDWARD ATKINSON.

PRESENT CONDITIONS IN THE ANTHRACITE COAL INDUSTRY.

BY DAVID WILLCOX.

THE recent speaking campaign of Mr. John Mitchell, the president of the United Mine Workers of America, in the anthracite coal regions, has aroused much interest in the present situation of the anthracite industry, and in the question whether there is anything which can possibly warrant a recurrence next year of disturbances and losses such as those caused by the strikes of 1900 and 1902. An examination of present conditions shows that there is no cause for anything of the sort, especially because the existing conditions are all the result of arbitration.

In the letter written by President Roosevelt upon October 23rd, 1902, appointing the Anthracite Coal Strike Commission, it was enjoined upon the Commission to make the "endeavor to establish the relations between the employers and the wage-workers in the anthracite fields on a just and permanent basis, and, as far as possible, to do away with any causes for the recurrence of such difficulties as those which you have been called in to settle." In making its award, the Commission expressed the view that "the awards we have made . . . will accomplish, certainly during their life, the high aims contemplated in your letter." The belief of the Commission has been justified by the result.

Every substantial matter affecting the employers and the employees engaged in anthracite mining has been already covered by the decisions of the Anthracite Coal Strike Commission and of the Board of Conciliation established under the Commission's award. The existing conditions have all been settled and established by arbitration, and the machinery has been provided for similarly settling any new questions which may arise from time to time. The facts as to the matters involved are as follows:

1. *As to hours of work.* The employees already average less than eight hours' work per day. This was established by the award of the Strike Commission. It said that "for the contract miners the hours worked certainly do not exceed, on the average, eight hours." For the remaining employees, known as "company men," the Commission found that, taking the region as a whole in the year 1901, the number of hours worked per annum averaged 1960, distributed through 258 days; so that the average day's work was 7.6 hours.* So, too, in one of the large companies where the time was kept, during April and May last passed, the average number of hours worked per day for the miners was 6.85 and for the company men 7.34.

The present suggestion of an eight-hour day for the "company men" does not, therefore, mean any diminution in hours of labor. The suggestion is no part of a general movement for an eight-hour day; but it is merely an effort for an advance in wages over and above the standards fixed by the Strike Commission.

2. *As to wages.* As the result of a general strike in 1900, wages in the anthracite industry were advanced about twelve per cent. The strike of 1902 had, as one of its expressed objects, the securing of a further general advance of twenty per cent. The award of the Strike Commission gave to the miners a general increase of ten per cent. on the previous rates of compensation, as the same had been already increased by the strike of 1900. The other employees, amounting to about fifty-five per cent. of the whole number, had been paid wages by the day, computed upon the basis that ten hours constituted a day; so that for each hour worked they received one-tenth of the daily rate. The Commission awarded that they should thereafter be paid upon the basis of nine hours constituting a day, so that for each hour worked they should receive one-ninth of the daily rate instead of one-tenth as theretofore, and overtime should be paid for at this proportional rate per hour. This was done not to decrease the hours

* The Commission stated, by way of illustration, that the average number of hours worked per day in the case of the Reading Company was 8.6; in that of the Delaware, Lackawanna and Western Company, 7.8; in that of the Lehigh and Wilkesbarre Company, 7.7; in that of the Delaware and Hudson Company, 7; in that of the Temple Iron Company, 7.2; and that "a study of the tables shows comparatively few instances in which the breakers" (the machinery for preparing coal in the various sizes) "made full 10 hours, while from 6 to 9 hour days were the most numerous."

of labor, which, as just seen, already averaged less than eight per day, but to increase the compensation of this class of employees. The Commission explained its action as follows:

"This would give the employees whom we are now considering practically a wage increase of 11 1-9 per cent., for the reason that, working the number of hours they now work, which is generally less than nine each day, they would be paid for hours in which they actually work, at the hourly rate for a nine-hour day. For example, in case of the Delaware and Hudson Company the average hours of breaker time per start is 7 and the company men . . . who now receive say $1.50 a day for 10 hours' work, would under the conditions of a nine-hour day receive one-ninth, instead of one-tenth, of $1.50 as their rate per hour for seven hours' work, or 16 2-3 cents instead of 15 cents per hour."

The Commission further arranged a sliding scale so that both the miners and the "company men" should participate in any increase in the price of coal. As to this it said:

"No sliding scale can be of permanent value unless there be established a minimum basis of earnings and a minimum price of the article on which the scale is constructed. The statistics of the price of coal, f. o. b., New York Harbor, have enabled the Commission to arrive at what seems to be a just basis, so far as price is concerned, while the minimum basis of earnings must necessarily be that established in the award."

Acting in accordance with the views thus stated, the Commission fixed the minimum price to which the above advances in wages applied at $4.50 per ton for the "prepared" or domestic sizes at tidewater, and provided that, as the price advanced, the rates of compensation should increase one per cent. for each increase of five cents per ton in the price.

To resume, therefore: as the result of the strike of 1902, the Strike Commission assumed $4.50 per ton as the standard of price, and upon that basis awarded to the miners an increase in compensation of 10 per cent. and to the company men an increase in wages of 11 1-9 per cent. Its award provided also that, as the price rose, the compensation of both classes should rise at the rate of one per cent. for each advance of five cents in the price. These awards have been regularly carried out. Comparing 1901, before the strike, with 1904, after it, the absolute increases in rates of compensation added to the cost of producing coal about 24.81 cents per ton, and the increases under the sliding scale about 5.96 cents per ton additional. The total sum which these increases added, in the year 1904, to the cost of the coal

produced was about $13,200,000 by the absolute increases and about $3,200,000 additional by the sliding scale; or a total increase in cost of about $16,400,000. This increased cost was necessarily borne for the most part by the "prepared" or domestic sizes,—amounting in 1904, to 61.99 per cent. of the whole, or a total of 35,636,661 tons, as against 21,858,861 tons of the small sizes—because the small sizes compete with bituminous coal and their price must be on substantially the same level. With the advance in the prices of material and labor generally, these advances, therefore, led to an increase in prices of the "prepared" or domestic sizes amounting to about fifty cents per ton.

In regard to the rates of wages prevailing before these advances were made, the Commission said:

"As to the general contention that the rates of compensation for contract miners in the anthracite region are lower than those paid in the bituminous fields for work substantially similar, or lower than are paid in other occupations requiring equal skill and training, the Commission finds that there has been a failure to produce testimony to sustain either of these propositions."

Nevertheless, as has been said, the Commission awarded these large advances as the result of the strike of 1902. Since then no changes whatever have occurred in the basis upon which the Commission fixed the increased rates of compensation. The existing rates of compensation were settled as the proper rates when coal sells at $4.50 per ton, and the sliding scale was arranged so that, as the price advanced, the compensation should increase.

If now the wages of the company men should be fixed at the present figures for eight hours instead of nine hours, the result would not be to shorten hours of labor, because, as already said, the employees do not now average eight hours' work per day, but to increase the wages per hour 12.5 per cent. The total paid to this class of labor during the past April was approximately 60.64 cents per ton. This would, therefore, be an increase of about 7.6 cents per ton—on the total production of coal it would be about $4,350,000. The only class benefited would be the "company men." As regards the miners and their laborers, amounting to about 45 per cent. of the employees, the change would naturally lead to their working the full eight-hour day, instead of very much less as at present, and thus diminishing the cost of production. This they could not consistently or successfully oppose if a uniform eight-hour day were established.

As the present rates of wages were fixed by the Strike Commission with full reference to the prices of coal and advance as those prices advance, and as no change has occurred since then, the action proposed would be merely overruling the award of the Commission. It would further increase the expense of mining and probably lead to some advance in price of the domestic sizes.

3. *As to the unit upon which is based the compensation of the miners.* In much the greater number of collieries in the Wyoming and Lehigh regions, from the beginning of the industry, payment has been made to the miners upon the basis of the number of cars of loaded coal sent up from the mines. From this it has followed that the shafts and breakers have been so constructed that any change in the unit of compensation would be very expensive and would cause much interruption of production. In the remaining collieries, payment is based upon weight of coal sent up. At the different collieries, the rates of payment for each of these units vary considerably, because differences in the veins cause a varying amount of labor to produce the unit of coal. In fact, each colliery has a system of compensation peculiar to itself, and there is no general uniformity.

In 1902, one of the demands made by the miners was that these methods should be changed and the coal should be paid for on a uniform basis of a ton of 2,240 pounds. The Commission decided against the demand and refused to disturb existing conditions. It said:

"The Commission is not now prepared to say that the change to payment by weight based on a 2,240-pound ton, when the price would necessarily be adjusted to the number of pounds—practically the case now—would prove of sufficient benefit to the miners to compensate for the expense and trouble thereby imposed upon the operators now paying by the car. Many of the operators in order to accommodate themselves to the change would have to reconstruct the breakers or place the scales at the foot of the shaft, and, when there is more than one level in each mine, at the foot of each level."

The Commission called attention also to the fact that the change demanded would add enormously to the cost of producing coal, especially by greatly increasing wages—resulting "in many instances in an increase of 300 per cent. over present cost."

While it decided against this demand, the Commission fully protected the miners by providing that, wherever they saw fit to pay the expense involved, they should have the right to appoint

check weighmen and check-docking bosses. "The check weighmen and check-docking bosses," the Commission said, "are inspectors employed by the miners themselves, to watch the weighing and docking of coal in their interests." The miners have appointed such inspectors only at a few of the collieries; as a rule, they have not thought it worth while to incur this expense.

4. *As to right of all to work, whether members of the union or not.* The Commission decided that the mines should be open to all seeking employment, regardless of membership in any labor organization and of the action of any such body. It said:

"The right to remain at work where others have ceased to work, or to engage anew in work which others have abandoned, is part of the personal liberty of a citizen, that can never be surrendered, and every infringement thereof merits and should receive the stern denouncement of the law. All government implies restraint, and it is not less, but more, necessary in self-governed communities, than in others, to compel restraint of the passions of men which make for disorder and lawlessness. Our language is the language of a free people, and fails to furnish any form of speech by which the right of a citizen to work when he pleases, for whom he pleases, and on what terms he pleases, can be successfully denied. The common sense of our people, as well as the common law, forbids that this right should be assailed with impunity. It is vain to say that the man who remains at work while others cease to work, or takes the place of one who has abandoned his work, helps to defeat the aspirations of men who seek to obtain better recompense for their labor and better conditions of life. Approval of the object of a strike, or persuasion that its purpose is high and noble, cannot sanction an attempt to destroy the right of others to a different opinion in this respect, or to interfere with their conduct in choosing to work upon what terms and at what time and for whom it may please them so to do.

"The right thus to work cannot be made to depend upon the approval or disapproval of the personal character and conduct of those who claim to exercise this right. If this were otherwise, then those who remain at work might, if they were in the majority, have both the right and power to prevent others, who choose to cease to work, from so doing.

"This all seems too plain for argument. Common sense and common law alike denounce the conduct of those who interfere with this fundamental right of the citizen. The assertion of the right seems trite and commonplace, but that land is blessed where the maxims of liberty are commonplaces.

"It also becomes our duty to condemn another less violent, but not less reprehensible, form of attack upon those rights and liberties of the citizen which the public opinion of civilized countries recognizes and protects. The right and liberty to pursue a lawful calling and to lead a peaceable life, free from molestation or attack, concerns the comfort and happiness of all men, and the denial of them means the destruction

of one of the greatest, if not the greatest, of the benefits which the social organization confers. What is popularly known as the 'boycott' (a word of evil omen and unhappy origin) is a form of coercion by which a combination of many persons seek to work their will upon a single person, or upon a few persons, by compelling others to abstain from social or beneficial business intercourse with such person or persons. Carried to the extent sometimes practised in aid of a strike, and as was in some instances practised in connection with the late anthracite strike, it is a cruel weapon of aggression, and its use immoral and antisocial.

"To say this is not to deny the legal right of any man or set of men voluntarily to refrain from social intercourse or business relations with any persons whom he or they, with or without good reason, dislike. This may sometimes be un-Christian, but it is not illegal. But when it is a concerted purpose of a number of persons not only to abstain themselves from such intercourse, but to render the life of their victim miserable by persuading and intimidating others so to refrain, such purpose is a malicious one, and the concerted attempt to accomplish it is a conspiracy at common law, and merits and should receive the punishment due to such a crime. . . .

"In social disturbances of the kind with which we are dealing the temptation to resort to this weapon oftentimes becomes strong, but is none the less to be resisted. It is an attempt of many by concerted action to work their will upon another who has exercised his legal right to differ with them in opinion and in conduct. It is tyranny, pure and simple, and as such is hateful, no matter whether attempted to be exercised by few or by many, by operators or by workmen, and no society that tolerates or condones it can justly call itself free."

The Commission made the following award upon the subject:

"No person shall be refused employment, or in any way discriminated against, on account of membership or non-membership in any labor organization; and there shall be no discrimination against, or interference with, any employee who is not a member of any labor organization by members of such organization."

Since the Commission's decision, the Supreme Court of the United States, the Supreme Court of Pennsylvania, the Court of Appeals of New York, the Supreme Court of Massachusetts and the Supreme Court of Illinois, have all pronounced judgments, stating the law in terms substantially similar to those used by the Commission. In sustaining the antiboycott law of Wisconsin, the Supreme Court of the United States significantly said:

"The most innocent and constitutionally protected of acts or omissions may be a step in a criminal plot, and if it is a step in a plot, neither its innocence nor the constitution is sufficient to prevent the punishment of the plot by law."

It is interesting to compare with these authoritative statements of the rules controlling the subject, the views of Mr. John

Mitchell, as expressed in his recent work on Organized Labor, the significant features of which are here italicized:

"With the rapid extension of trade-unions, the tendency is toward the growth of *compulsory* membership in them, and the time will doubtless come when this *compulsion* will be as general and will be considered as little of a grievance as the compulsory attendance of children at school. *The inalienable right of a man to work will then be put upon a par with the inalienable right of a child to play truant,* and the *compulsion* exercised by the trade-union will be likened to that of a state which in the interest of society forces an education upon the child, even though the child and its parents are utterly and irreconcilably opposed to it" (p. 283). "It is unwise, moreover, to demand the unionizing of a shop or an industry where there is not sufficient strength to *compel* it. For every such demand and prior to such demand, there should be months of patient propaganda, and in this, as in every other line of trade policy, *compulsion* should not be used until persuasion has completely and signally failed" (p. 284). "In conclusion, I believe that trade-unions have a perfect legal and moral right to *exclude* non-unionists, but that this right should be exercised with the utmost care and only after persuasion has been tried and has failed. I also believe that with the growth of trade-unionism in the United States the *exclusion* of non-unionists will become more *complete,* although animosity toward the non-unionist will diminish with the lessening of his power *to do evil*" (p. 285).

"The legal right of workingmen to boycott should not be called into question; workingmen in boycotting one of their fellow craftsmen are simply doing together what they have a perfect right to do separately. A man has a legal right to deal at a certain establishment, to give or withhold patronage, to buy when he sees fit, and *what one man may do, a hundred or a thousand should have the right to do*" (pp. 287, 288). "If the time should come when there are *millions of workingmen acting together in common upon a boycott approved by all,* the power of the organized workers of the country will be *infinitely increased*" (p. 298).

These expressions indicate that their author has failed to accept the rules laid down by the Anthracite Strike Commission, although his organization was a party to its judgment, and also by the courts of last resort of the country generally. While differences of individual opinion may always exist, still the rules of action in civilized communities are authoritatively settled by their judicial tribunals.

5. *As to the adjustment of present or future grievances.* For the purpose of disposing of questions arising under the award and of any future grievances, the Anthracite Strike Commission constituted a Conciliation Board, three members of which were to be appointed by the employees and three members by the opera-

tors, with a provision that in case of necessity an umpire should be appointed by one of the Justices of the United States Circuit Court for the Third Circuit. This Board was accordingly duly organized with the three district presidents of the United Mine Workers representing the employees and three members representing the operators. "At all hearings before said Board," the Commission directed, "the parties may be represented by such person or persons as they may respectively select," and this practice has been pursued. The Board has passed upon all grievances which have come before it, save a small number of recent cases which are in process of adjudication.

The total work of the Board was as follows up to January 12th, 1905: total grievances presented, 125; cases withdrawn, 42; cases settled by parties, 9; cases sustained, 18; cases partially sustained or compromised, 6; cases not sustained, 28. The services of an umpire have been required only 14 times, and there have been practically no strikes. The Board has had great success, and the present conditions indicate its usefulness.

The action of the Board of Conciliation has had the following results among others:

(*a*) Every grievance has been disposed of in due course, and there are now no grievances in existence of sufficient merit to warrant their submission to arbitration, save a small number of recent cases which are in process of adjudication.

(*b*) The Board has decided that the employers have the unconditional right to hire and to discharge their employees irrespective of the motives leading to such action. This the Board has said is correlative to the right of the employees to terminate the employment whenever they see fit.

(*c*) The Board has decided that the employers are under no obligation to collect from the employees funds for any purpose which they may designate, save for the payment of check weighmen and check-docking bosses.

6. *As to a contract with the union.* One of the demands presented to the Strike Commission was that a contract should be made by each of the employers with the United Mine Workers, covering "(1) the wages which shall be paid, and (2) the conditions of employment which shall obtain, together with (3) satisfactory methods for the adjustment of grievances which may from time to time arise." As has just been shown, the award of

the Strike Commission covered all these specifications, because it fixed (1) the wages, (2) the conditions of employment and (3) a method for adjustment of future grievances. It, therefore, provided amply for every purpose sought to be accomplished by a contract with the union.

The Commission, however, denied the demand that these matters should be not merely covered by its award, but also made the subject of a specific contract by each employer with the United Mine Workers. The Commission said:

"In order to be entitled to such recognition, the labor organization or union must give the same recognition to the rights of the employer and of others, which it demands for itself and for its members. The worker has the right to work or to strike in conjunction with his fellows, when by so doing he does not violate a contract made by or for him. He has neither right nor license to destroy or to damage the property of the employer; neither has he any right or license to intimidate or to use violence against the man who chooses to exercise his right to work, nor to interfere with those who do not feel that the union offers the best method for adjusting grievances.

"The union must not undertake to assume, or to interfere with, the management of the business of the employer. It should strive to make membership in it so valuable as to attract all who are eligible, but in its efforts to build itself up, it must not lose sight of the fact that those who may think differently have certain rights guaranteed them by our free government. However irritating it may be to see a man enjoy benefits to the securing of which he refuses to contribute, either morally or physically, or financially, the fact that he has a right to dispose of his personal services as he chooses cannot be ignored. The non-union man assumes the whole responsibility which results from his being such, but his right and privilege of being a non-union man are sanctioned in law and morals. The rights and privileges of non-union men are as sacred to them as the rights and privileges of unionists. The contention that the majority of the employees in an industry, by voluntarily associating themselves in a union, acquire authority over those who do not so associate themselves is untenable.

"Those who voluntarily associate themselves believe that in their efforts to improve conditions they are working as much in the interest of the unorganized as in their own, and out of this grows the contention that when a non-union man works during a strike, he violates the rights and privileges of those associated in efforts to better the general condition, and in aspirations to a higher standard of living. The non-union man, who does not believe that the union can accomplish these things, insists with equal sincerity that the union destroys his efforts to secure a better standard of living and interferes with his aspirations for improvement. The fallacy of such argument lies in the use of the analogy of state government under which the minority acquiesces in the rule of the

majority; but government is the result of organic law, within the scope of which no other government can assume authority to control the minority. In all acts of government the minority takes part, and when it is defeated the government becomes the agency of all, not simply of the majority.

"It should be remembered that the trade-union is a voluntary social organization, and, like any other organization, is subordinate to the laws of the land and cannot make rules or regulations in contravention thereof. Yet it at times seeks to set itself up as a separate and distinct governing agency, and to control those who have refused to join its ranks and to consent to its government, and to deny to them the personal liberties which are guaranteed to every citizen by the constitution and laws of the land. The analogy, therefore, is unsound and does not apply. Abraham Lincoln said 'No man is good enough to govern another man without that other's consent.' This is as true in trade-unions as elsewhere, and not until those which fail to recognize this truth abandon their attitude toward non-union men, and follow the suggestion made above—that is, to make their work and their membership so valuable and attractive that all who are eligible to membership will come under their rule—will they secure that firm and constant sympathy of the public which their general purposes seem to demand."

At the same time the Commission observed that "the present constitution of the United Mine Workers of America does not present the most inviting inducements to the operators to enter into contractual relations with it." In view of this the Commission suggested certain modifications of the Mine Workers' organization which seemed to it desirable, such as that adults alone should be allowed to vote; that it should require a two-thirds vote to order a strike, and the vote should be by ballot—not *viva voce* or by show of hands, as at present—and that the organization should be independent and not merely a part of a general organization covering as well the bituminous mines of the country—a competing industry.

It is believed that none of these modifications have been made or seriously considered. Mr. Mitchell, in his work on Organized Labor (p. 392), says:

"The findings of the Anthracite Strike Commission consist of a report and an award. The report is a more or less theoretical discussion of general principles, while the award consists of specific injunctions and specific recommendations bearing upon the anthracite struggle. I shall not discuss the report, which is in my opinion and in that of the great body of unionists, a document prepared by fair-minded and intelligent men, but showing upon the whole a lack of appreciation of some of the fundamental principles of unionism and *based upon premises which cannot be maintained.*"

As to the suggestion that the bituminous and anthracite workers should not be united in one organization Mr. Mitchell says (p. 268):

"The organization of mine-workers must include not only all the anthracite mines of the country, but also the bituminous mines. The anthracite operators bitterly complained against the United Mine Workers of America because it was an organization which controlled the production of bituminous coal, which, they alleged as a grievance, was a competing product. A greater ignorance of the fundamental principles of trade-unionism could not well be conceived. It is *because* anthracite coal competes with bituminous that the mining of both should be controlled by one organization."

To resume, therefore: the Anthracite Strike Commission secured by its award all the results specified as those to be attained by a contract with the union, but overruled the demand that, in addition to the award which, of course, had contractual force as to the parties, there should be also an independent document in the form of a contract between the union and the various operators. At the same time it suggested certain modifications in the form of the union which might possibly make such a contract practicable. These the union has not attempted to make and its president has very clearly refused to take the action suggested by the arbitrators appointed at his suggestion. What standing, then, can the union have to renew its claim for a contract in addition to the award?

The existing conditions have, therefore, all been the result of arbitration in which both parties were represented. They have secured to the employees a rate of wages which the Commission held to be proper when the "prepared" or domestic sizes of coal sell at $4.50 per ton with an advance as the price increases, and have also provided machinery by which all grievances have been adjusted and which will be equally available for that purpose in the future.

The employers have no desire to disturb these results, which have been so painfully and expensively reached by arbitration, and are perfectly willing to continue the present arrangements indefinitely. There is no association of the employers generally, such as is attempted in the case of the employees; indeed, either one would probably incur the charge of illegality under the anti-trust acts. The Supreme Court of Massachusetts has just held that an attempt to exclude non-members of a union from em-

ployment violates the prohibitions of monopoly, and other courts have made similar rulings. As already pointed out, everything suggested as the subject of a general contract between the employers and employees has been secured by the award. Therefore, no contract with the union is necessary for the protection of the employees; the Commission held that nothing of the sort would be admissible save on conditions which the union has failed to carry out, and any such arrangement would tend to defeat the award of the Commission and the decisions of the courts establishing the principle that employment must be open to all irrespective of membership of trade-unions or otherwise.

It is, indeed, grotesque to call such arrangements contracts, for, as Mr. Mitchell says in his work on Organized Labor (p. 227), "the union no more guarantees that any particular man will work than the employer guarantees that work will be provided for any particular man." Manifestly, there can be no contract where nobody is bound to anything. The illogical and illegal scheme of having all the labor employed in a great industry controlled by one organization and compelling all the employers to enter into contracts with that organization, rather than with their own employees, is rapidly passing away, and agreements of employment are fast reverting to their natural form of arrangements between the parties concerned.

It may be added that the anthracite coal industry has been under investigation by the Interstate Commerce Commission, unhampered by the rules of evidence (194 U. S., 25) for two years and a half, without result. Although no formal decision has yet been made by the Interstate Commerce Commission, it is not too much to say that the manifold charges which have been made with such resonance and iteration for so many years past against those engaged in the industry have collapsed under investigation.

The present state of the industry is, therefore, exceptional. All the existing conditions have been settled by arbitration to which the employees were parties, and the machinery has been successfully provided through the Conciliation Board for adjusting any future questions. The methods of transacting business have been fully investigated and have not been found objectionable in any respect. What possible ground can exist for disturbing this situation and subjecting the country to the hazard of another anthracite strike?

DAVID WILLCOX.

THE FIGHT FOR THE CALIPHATE.

BY WALTER F. BULLOCK.

UNDER the obscure heading of "Rebellion in the Yemen," a series of brief telegrams has recently appeared in the British and American press, describing in skeleton language the exploits of Sheik Hamid Eddin, the Sovereign of Hadramaut, against the troops of the Turkish Sultan. Absorbed in the contemplation of the Far-Eastern struggle, neither the writers nor readers of the newspapers have yet found leisure to reflect upon the meaning of the movement, which the Lord of the Land of Frankincense is leading, or to observe that the apparently insignificant events in the southwestern corner of Arabia are probably fraught with epochal importance for the Mohammedan world. They have assumed, and the assumption is encouraged by the nonchalant pose of Stamboul, that the Yemen troubles are merely the result of local discontent on the part of a horde of hungry Arabs, and that, consequently, the whole affair may be relegated to the interminable category of petty revolts against the authority of the Sultan's agents. But the Government in Constantinople, though it would fain throw dust in the eyes of Europe, is itself painfully conscious of the menacing character of the challenge which has gone forth from Arabia. It is, indeed, impossible for it any longer to doubt that Hamid Eddin, the namesake of Abdul Hamid, is contesting not only the possession of Yemen, but also the spiritual supremacy of Islam. A Holy War, in fact, has started in Arabia, and upon its issue depend the fate of Mecca and the title of Caliph.

That title, and with it the Command of the Faithful, has been associated with the Turkish sovereign for nearly four centuries. In 1517, after the suppression of the Mameluke rising and the conquest of Egypt, Sultan Selim I wrested from the fainting

hands of the descendants of the Abassides the banner of the Prophet—Sandjak-i-Cherif—which, after many migrations, had been transferred from Bagdad to Cairo. From Cairo, the Ottoman monarch conveyed the sacred symbol to the Serail in Constantinople, where it has since reposed as the outward and visible sign of the spiritual power of the Throne. So long as the might of Turkey remained intact, no serious attempt was made to dispute the right of its sovereign to the dignity of the Caliphate. But in recent years, since the weakness of the Sultanate became patent to the world, increasing numbers of zealous Moslems have favored the idea of removing the religious authority from Constantinople to Arabia. The representatives of "Young Turkey" have been especially active in the secret propagation of this idea.

On the high plateau of Hadramaut, which faces on the Arabian Sea, and amid the hills of Yemen dwell the proud descendants of the Koreishites, who held sway in Mecca before the birth of the Prophet. Always tenacious of their independence, they have at no time yielded absolutely to their successive conquerors. More than once they have caused the Sultans of Turkey to tremble for the possession of the holy cities, which are indeed kept open more by bribery than by the display of actual power. Since 1872, it is true, the Yemen has been under the nominal sovereignty of the Turks, who have established garrisons in many of its chief cities. But Hadramaut has preserved its freedom inviolate. Its inhabitants have witnessed the ruinous results of Turkish misgovernment, and have learned from their own observation, and from the information conveyed to them by Turkish refugees, of the economical progress made by Islamitic countries, such as Egypt, Herzegovina and Bosnia, under an efficient administration. The Sultan, by systematically banishing to the southern shores of the Red Sea those of his officials who are politically disaffected, has himself contributed, in no small degree, to the enlightenment of the Arabians and to the revival of their national consciousness. For those officials have eagerly sympathized with the ambitions of the Koreishites. They have assisted diligently in the effort to secure the recognition of the ruler of Hadramaut as Commander of the Faithful; and their efforts have been supported by the Ecclesiastical High School of Egypt, El Azhar, which many years ago decreed that the Sultan of Turkey had forfeited all right to the Caliphate. Now the sovereign of Hadramaut, the Sheik

Hamid Eddin, claims to be a direct descendant of the Prophet. This the Sultan also is; but, while the family tree of the Padishah springs from the younger, or Hussein, line of Mohammed, Hamid Eddin is acknowledged by the Ulemas to derive his rights from the purer and superior Hassan line. Hamid Eddin seems to have gained the enthusiastic support of the inhabitants of the Southern half of Arabia, and to number among his allies many powerful Sheiks in the central parts of the Peninsula.

For several years, the propaganda proceeded on comparatively peaceful lines. Only occasionally was it marked by collisions with the Turkish troops. But, towards the end of 1903, the Sheik entered the northern district of the Yemen and laid siege to the Turkish garrison of Assyr. The engagement ended disastrously for the Turks. Their Governor and Military Commander and a large proportion of their troops, who numbered altogether one thousand men, were killed. Those of the Turkish soldiers who preserved their lives joined the forces of Hamid Eddin. The news of the disaster fell like a bomb in Constantinople, and arrangements were hastily made for the despatch of considerable reinforcements to the Vilayet of Yemen. It is difficult to follow in any detail the subsequent movements of the Arabian Pretender. According to Ali Nouri Bey, who enjoys exceptional sources of information, the occupation of Assyr was in the nature of a reconnaissance in force. After the battle, Hamid Eddin returned to the South. Avoiding the larger garrisons of the Turks, he captured a number of smaller towns, the inhabitants of which invariably hailed him as their Liberator, and paid homage to him as the true Caliph. For a whole year the Turks refrained from attempting any serious resistance to the Arabian movement. In February of this year, however, they succeeded in inflicting on Hamid Eddin a slight reverse, which the authorities in Constantinople, for political reasons, at once magnified into a disaster. The real truth appears to be that a small Arabian force, stationed at Menakha, a village situated between Saana, the city of many towers, and Hodeida, the chief port of the Vilayet, was compelled, after fighting for forty-eight hours, to evacuate its positions. Of these the Turks took possession, and in Constantinople it was forthwith announced that the main body of the Arabs had been dispersed. The resolution taken by the Sultan, immediately after the event, to send out twenty-two additional

battalions to the scene of operations, showed plainly enough, however, that notwithstanding the battle of Menakha, he still regarded the situation as critical. Nor was Hamid Eddin long in avenging the blow his men had suffered. In the south of the Vilayet, where he had assembled his forces, he seized the important towns of Taiz and Kataba, thus making himself master of the lower half of the Yemen. From Kataba the caravan road from Aden to Mecca is controlled. Advancing quickly along that highway, Hamid Eddin laid siege to Saana, the capital city of Happy Yemen, which was held by a Turkish garrison of five thousand men. The city, cut off from all communication with Menakha, where considerable bodies of Turkish troops were garrisoned, sent offers of conditional capitulation to the Sheik. But Hamid Eddin, conscious of his strength, calmly demanded the absolute surrender of the stronghold. The condition of the city had already become desperate when the news of its distress reached Constantinople. Peremptory orders were despatched to Marshal Riza Pasha, who was at Hodeida organizing the Turkish reinforcements, to relieve the capital at all costs. Towards the end of March, accordingly, the Marshal left Hodeida at the head of an army, the exact composition of which, in view of the discreet taciturnity of Constantinople, it is impossible to state with confidence. What is officially admitted is that the Marshal was in command of six thousand regulars, in addition to a formidable body of Syrian reserves, which had been gradually drafted to the Yemen. The number of these reserves is estimated by Ali Nouri Bey at from twelve to fifteen thousand. The army of Marshal Riza Pasha was well equipped with artillery, including thirty quick-firing guns, and it was followed by a large train, with a liberal supply of camels. Selecting Menakha as his base, the Turkish commander advanced against the Arabs, but failed to penetrate their line of investment. He was, in fact, completely outgeneralled by Hamid Eddin, who, by a masterly flanking movement, severed his communications with Menakha, and finally encircled his army. Riza Pasha himself, with one thousand men, temporarily escaped captivity by cutting his way to Saana, which he had set out to relieve. The bulk of the Turkish troops surrendered to the Arab Sheik, with all their arms, artillery and stores; and a few days later, between the 23rd and 26th of April, Saana also was reduced to submission.

Its capitulation impressed the Turkish Government as an event of the most sinister significance. In the early days of May, men of prominence in Constantinople might have been heard arguing that the problem of retaining possession of the European provinces was a matter of trifling importance compared with the sacred duty of restoring order in the Yemen. The Sultanate, they contended, must devote all its energies to the suppression of the Arabian movement, and abandon Macedonia rather than permit the Koreishites to extend their sway. These voices were not devoid of effect; for, though the troops in Macedonia were left intact, orders were immediately issued for the organization of a new expeditionary army, to consist of sixty battalions.

It is, to say the least, doubtful if this expeditionary force will ever reach its destination. Apart from the probability that the port of Hodeida is the next objective of the Arabs, who are now excellently armed, the difficulties of transport opposing the realization of the Turkish plans are of a most formidable nature. The Mecca railway is unfinished, and of ships there is an altogether inadequate supply. Moreover, the tone of the Turkish army is the reverse of favorable to the successful prosecution of the campaign. In the battles of April, the troops of Marshal Riza Pasha notoriously failed to do their duty.

It may be that the Albanian guards, some of whom are also proceeding to Yemen, will impart a more strenuous aspect to the struggle. But the fact cannot be blinked that many regiments show suspicious signs of a desire to shirk the orders for mobilization. While they would obey with alacrity a command to march against the Bulgarians, they are profoundly averse to fighting their Arabian brothers.

The forces of Hamid Eddin, on the other hand, are inspired by fanatical zeal. They are still distinguished by the warlike qualities which Gibbon so eloquently described in the "Decline and Fall." Now, as in the days to which the Roman historian referred, they advance to battle with the hope of victory before them, and in the rear the assurance of retreat. They are able—as the Mad Mullah has proved in another land—to "elude the search of the fleetest enemy," and at all times to "discover a safe refuge in the heart of the burning solitude, while the troops of the foe are consumed with thirst, hunger and fatigue." Add to this the circumstance that they are plentifully equipped with

modern arms, obtained, many of them, from the vanquished army of Riza Pasha, and it will be seen that the orders, issued from Constantinople, to replace the Crescent over the Towers of Saana have but faint prospect of realization. Men who are acquainted with the origin of the Arabian movement prophesy, indeed, that, within the space of two or three months, the period appointed by the Sultan for the recapture of the lost capital, the Koreishite warriors will be seen in the streets of Hodeida. Nor is the time far distant, they think, when Hamid Eddin will be in a position to march along the great highway as far as Mecca, where it will be an easy task for him to intercept the Imperial caravan, and to guard the approaches to the Caaba against all pilgrims who may refuse to acknowledge his Caliphate.

I have indicated above that Hamid Eddin is allied with some of the Sheiks of Central Arabia. Without their cooperation, his enterprise would probably be fruitless. Of this the Sultan appears to be keenly aware. Accordingly, he is endeavoring to second the exertions of his soldiers by a judicious administration of promises and bribes. But in the choice of his agents the Caliph of Stamboul is singularly unfortunate. He has, moreover, dissipated their trust in his powers by his signal inability to fulfil his promises. Of this, the case of the Sultan of Nejd affords a typical instance. About the middle of the nineties, Ben Raschid, then an independent sovereign, appealed to the Sultan of Turkey for protection against the supposed designs of Great Britain on Koweit and its neighboring territories. Abdul Hamid invited the Sultan to visit him. This Ben Raschid did, and at Constantinople he was accorded a demonstrative welcome. When he returned to his dominions he was accompanied by a Turkish escort, which remained in Nejd as a substantial pledge of Turkish suzerainty. But the Turkish agents grossly neglected the political interests of the Sultanate. The Sheik of Koweit refused to acknowledge the suzerain powers of Nejd, and in deliberate disobedience to the wishes of Constantinople entered into relations of the closest friendship with Great Britain. Among the inhabitants of Nejd, which is the most populous state in Arabia, the most profound discontent prevailed against the Turcophil policy of their ruler. Internal troubles soon added to the embarrassments of Ben Raschid. The leader of the Wahabites, Ben Said, acting, it is believed, with the connivance of Hamid Eddin, profited by these

embarrassments to attack Nejd. He gained an easy victory over Ben Raschid and conquered the cities of Oneisa and El-Bereida. Ben Raschid at once demanded increased assistance from Constantinople; but the help he thus received was altogether inadequate. The troops of the Sultan were again defeated, and Ben Raschid, who was himself wounded, was compelled to fly for refuge to Hail. Since then, Ben Said has given abundant evidences of his power. He is said to have cooperated with Hamid Eddin at Assyr, and to be preparing to support that ruler in his march on Mecca and Medina. The knell of Turkish dominion and influence in Arabia will be sounded on the day when the leaders of the Koreishites and Wahabites gain control of the treasures and relics of the sacred cities.

It is, perhaps, natural that the Turkish Government should attribute its troubles to a wrong cause. Instead of seeking the origin of the Arabian movement in its own weakness and in the corruption of its agents, who have terribly abused their authority, it now accuses Great Britain of being the author of its misfortunes. It asserts that Great Britain is weaving a vast web of intrigue against the spiritual power of the Sultan-Caliph, with the object of transferring the Caliphate to the Khedive of Egypt, who would exercise its functions and influence in accordance with British designs. To this end, British agents, they assert, have fomented the Arabian rebellion, by supplying the Koreishites with arms from Aden, and by encouraging the Sheik of Koweit and Ben Said to work for the foundation of an independent Central Arabian Kingdom. The anti-British cry has been vigorously reechoed in the German press, which is oppressed with the nightmare of a British occupation of Koweit and Basra—the future termini of the Bagdad Railway—and of an independent Arabian Power threatening the security of that railway. Grave remonstrances have, accordingly, been addressed by various writers to Great Britain, which is alleged to be playing with the fire of Mohammedan fanaticism. The chief authority for these assertions is Mustafa Kamel Pasha, who is described in Germany as an "Egyptian patriot," distinguished by unusual insight and knowledge. Moslems, says this zealous Pasha, have long been aware that it is the ambition of Great Britain to realize the dream of the first Napoleon, "*en mettant la main sur le Chalifat et ayant la domination morale de tous les Musulmans.*" But the

Khedive, he sententiously adds, will never consent to be the tool of Great Britain. On the contrary, his sympathies in this matter are with his people, who, in common with all true Moslems, are furiously indignant at the "traitorous" action of the Arabs. A characteristic Teutonic vision has arisen out of the words of Mustafa Kamel Pasha, who is depicted as foreshadowing a pan-Islamitic rising of terrible portent against British influence in India and Egypt. Unfortunately for the German visionaries, Mustafa Kamel Pasha is the reverse of a reliable witness. As the spokesman of the Turkish Caliph, it is perhaps his duty to misrepresent the facts of the situation, which is in reality governed very largely from Egypt. But, far from exciting the indignation of the subjects of the Khedive, the Arabian movement, as he probably knows, has derived from them a considerable share of its inspiration. I have even heard it suggested that an illustrious Egyptian Princess is personally responsible for its inception, and that not long ago the Khedive, on her advice, signified his readiness to accept the dignity of the Caliphate at the hands of Hamid Eddin. The scheme was upset, however, for obvious reasons, by the British Government. It was, too, the material progress made by Egypt, under an honest administration, that first opened the eyes of the Arabs to the misery of the Turkish rule. From Egypt they derived the conviction that Islam is not necessarily synonymous with backwardness in the arts and sciences of civilization. And Egypt, moreover, through the pronouncements of its High Schools and Ulemas, furnished the legal foundation of their claim to the Caliphate. Great Britain has in no sense encouraged the Arabian pretensions; but, on the other hand, she most assuredly has not discouraged them. Why, indeed, should she? Since the Russo-Turkish war, the religious influence of the Sultan has been uniformly exerted for the benefit of Russia against Great Britain. The destruction of that influence, therefore, disastrous as might be its consequences for Turkey, will be no loss to Great Britain, which, after the proclamation of the Arabian Caliphate, may not inconceivably be asked to guarantee the existence of an independent kingdom, embracing the central and southern portions of the peninsula.

By acceding to this request, Great Britain would enormously increase her moral influence in the Mohammedan world.

WALTER F. BULLOCK.

THE UNITED STATES AND RUSSIA: THEIR HISTORICAL RELATIONS.

BY OSCAR S. STRAUS, MEMBER OF THE PERMANENT COURT OF ARBITRATION AT THE HAGUE.

NAPOLEON said: "History is a fiction agreed upon." This definition is more applicable to diplomatic history than to any branch of the science, for the reason that diplomacy has so many undercurrents whose sources are concealed from the public eye. It is, doubtless, due to the Machiavellian spirit which guided the diplomacy of nations for so many years that, even in the most authoritative histories, we so often find the accounts of diplomatic relations given, not as they were, but as the adroit schemers intended they should appear.

The Kishineff massacres which took place in April, 1903, caused a mighty storm of protest to arise in this country. These protests, voiced by pulpit, press and mass meetings, were resented by the Russian Ambassador at Washington and by the official classes in St. Petersburg, on the plea that the United States was under repeated obligations of gratitude to Russia because of her "traditional friendship" for us, from the very beginning of our national history until the present time. Many articles appeared in the daily papers referring to this "traditional friendship," and urging that the American public should at least refrain from siding with the enemies of Russia, however appalling might be the rule of the Russian bureaucracy. An article appeared in the leading Russian paper of St. Petersburg, the "*Novoe Vremya*," headed "Russia in America," as follows:

"The United States from time to time enters the arena of anti-Russian propaganda which finds favorable soil in its politically unripe population, without government traditions, and carried away by the successes of its new imperialistic policy. The Siberian prisons, the

Manchurian open door, the Kishineff disorders—all of these serve as pretexts for the anti-Russian meetings so advantageous to Russia's enemies, while Secretary Hay's stubborn Anglophilism lends governmental importance to the claims of the various groups of American traders and missionaries in the Far East . . . The Russian Foreign Office should publish in English a sketch of the relations between the Russian and American governments, beginning with the time of Catharine and ending with the Spanish-American war."

When the Monarch was the State, and when the Monarch's attachments, antagonisms or desire for revenge were the controlling factors in international relations, the ruler's commands were supreme, and the national conscience had to bend to his will. But, even if the traditional Russian claim upon the gratitude of the United States were well founded, the enlightened spirit of our age could not recognize that as a plea in bar against our condemnation of shocking wrongs, or against our withholding our sympathies for the oppressed.

International relations among modern States are primarily based, not upon sentiment or gratitude, but upon self-interests, modified more or less by a sense of justice and right. However, we are not here concerned with speculations, but with historical facts. Let us see what these facts are.

CATHARINE II AND THE AMERICAN REVOLUTION.

Under Catharine II, a scheme was formed in 1779, when we were in the most trying period of our Revolution, for Russia's giving George III effective assistance against us, on condition that the English should aid Russia in renewed attacks upon the Turks. A part of this programme was, that the Island of Minorca was to be ceded by England to Russia as a station for the Russian fleet in the Mediterranean, and as a rendezvous for the insurgent Greeks. This project was drawn up by Catharine's chief adviser, Count Potemkin, for presentation to the British Ambassador at St. Petersburg; but, through the adroitness of Count Panin, Catharine's Minister for Foreign Affairs, who favored the French interest as against the English, the scheme fell through, thereby causing the Empress to adopt the anti-British policy of armed neutrality. The nature of Russia's friendship for us at this period, when we were most in need of the friendly offices of foreign nations, is disclosed by Benjamin Franklin, who was then in Paris as one of our Commissioners to negotiate peace with

Great Britain. He describes with what friendly satisfaction Russia had learned of the recognition of our independence by the States General of Holland. I quote from his journal:*

"This day" (June 9, 1782), "I received a letter from Mr. Dana dated at St. Petersburg, April 29th, in which is the following passage: 'We yesterday received the news that the States General, on the 19th of this month, acknowledged the independence of the United States. This event gave a shock here, and is not well received, as they at least professed to have flattered themselves that mediation would have prevented it, and otherwise brought on a partial peace between Britain and Holland.'"

Mr. Francis Dana, afterwards Chief Justice of Massachusetts, was at this time our accredited Minister to Russia. He remained there about two years asking to be recognized; but Russia refused to receive him or to recognize the independence of our country, and this, too, although nine months before the preliminaries of peace had been signed. At last Dana, in September, 1783, being unsuccessful in his efforts to secure recognition, or to have Russia recognize the independence of our country, obtained permission from Congress to return home.

Some years ago, when Eugene Schuyler was Secretary of Legation at St. Petersburg, he made some investigation for George Bancroft, the historian, and copied and translated some of the diplomatic correspondence under the reign of Catharine II.† At this time Count Osterman was Vice-Chancellor, and Prince Demetri Galitzen was Russian Ambassador at the Hague. Information reached St. Petersburg from the Russian Ambassador that Mr. Adams had been received as United States Minister. The Vice-Chancellor writes to the Ambassador (May 6, 1782):

"Now that their High Mightinesses have proceeded to the formal recognition of Mr. Adams as Minister Plenipotentiary from the United States, I must instruct you that Her Imperial Highness does not wish any demonstration on your part that can lead to the presumption that she approves of this step. You must then abstain from receiving or paying visits either to Mr. Adams, or to any other person accredited from the Colonies which are separating from Great Britain."

As a further evidence of Catharine's feeling towards America, I will cite the following: About this time a portrait of Wash-

* Franklin's Works, edited by Bigelow, vol. 8, p. 89.

† See Bancroft papers, America, Russia and England, vol. 2, Lenox Library.

ington was sent from the Hague in the Russian despatch-bag to Francis Dana, who was then at St. Petersburg, doubtless as a courtesy to Mr. Adams. On the receipt of the bag at the Russian Foreign Office, Count Osterman returned the portrait to Prince Galitzen, the Ambassador at The Hague, with a sharp letter in which he says: "With your despatch came a portrait of Washington to be delivered to one Dana, an American gentleman here, but as this man is not known to Her Imperial Majesty or Her ministry, you are commanded by Her Majesty to return it to the source from which it reached the courier, together with documents accompanying it."

From the same source we learn that, on May 15th, 1780, Sir James Harris, British Ambassador at St. Petersburg, writing to Viscount Stormont, the British Secretary of State, after referring to an interview he had with Prince Potemkin, stated that the Prince suggested that the Secretary of State should ask the Empress to mediate between Great Britain and her enemies, and to acquaint her "with the terms on which you wish for an accommodation for America . . . and you may depend not only on her not betraying you, but be almost certain that she will begin by being your mediator, and, if she does not succeed, end by being your ally."* This throws a direct light upon the motives underlying Catharine's desire to become a mediator which has been made much of even by some American historians. John Fiske, in his "American Revolution," says:

"At the beginning of 1778, Sir James Harris, afterwards Earl of Malmesbury, was sent as Ambassador to St. Petersburg, with instructions to leave no stone unturned to secure an offensive and defensive alliance between Russia and Great Britain, in order to offset and neutralize the alliance between France and the United States. Negotiations to this end were kept up as long as the war lasted, but they proved fruitless. While Catharine coquetted and temporized, the Prussian Ambassador had her ear. . . . The weight of France was, of course, thrown into the same scale, and for four years the Russian Court was the scene of brisk and multifarious intrigues. . . . From Prince Potemkin, one of Catharine's lovers, whose favor Harris courted, he learned that nothing short of the cession of Minorca would induce the Empress to enter into this desired alliance. Russia was already taking advantage of the situation to overrun and annex the Crimea; and the maritime outlook, thus acquired, made her eager to secure some naval station on the Mediterranean. Minorca was England's to give. . . . It was not, however, until

* Bancroft papers, vol. 2.

1781 that the offer of Minorca was made, and then Catharine had so far acceded to the general combination against England that she could not but refuse it."*

Before this time, in 1776, as there were very close relations existing between Great Britain and Russia, it was very much feared that Great Britain would be able to draw troops from Russia to serve against the Colonies. That there was ground for this fear is evidenced by a resolution, passed by the Continental Congress (December 30th, 1776), instructing our commissioners in Europe to guard against this contingency. The resolution is as follows:

"That the commissioners be respectively directed to use every means in their power . . . for preventing German, Russian and other foreign troops from being sent to America for hostile purposes."†

General Sir William Howe wrote from New York (November 30th, 1776) to Lord George Germain that a reinforcement of 15,000 troops was needed, "which I hope may be had from Russia, or from Hanover, or from other German States."‡

Theodore Lyman, the best of our early writers on our diplomacy, says in reference to Dana's mission at St. Petersburg, and the refusal of the Empress to recognize him, that the conditions upon which she undertook to receive Dana were more severe than England herself exacted:

"They amounted to this: 'Strike off seven years of your independence; confess that you owe your independence to the English acknowledgment; annul all acts of sovereignty prior to that time—all Commissioners and Ministers—treaties with France and Holland; and then you will be in a condition to present yourself at the Court of St. Petersburg.'"§

The Continental Congress, in sending Dana to St. Petersburg, hoped to enter into the armed neutrality which Russia was organizing; but, as Dana was absolutely ignored, Congress, in May, 1783, adopted a resolution to the effect that, though it ap-

* John Fiske, "The American Revolution," New York, 1897, vol. 2, p. 143. W. Eton, in "A Survey of the Turkish Empire" (London, 1798), says: "The Empress, and particularly Potemkin, were very anxious to obtain from His Majesty a cession of the Island of Minorca, which was intended as a station for her fleet, and a rendezvous for the Greeks," p. 423.

See also Diaries and Correspondence of Sir James Harris, First Earl of Malmesbury, vol. 1, pp. 345, 359, 363, etc.

† American Archives, fourth series, vol. 3, p. 1617.

‡ *Id.*, p. 926.

§ "Diplomacy of the United States," by Theodore Lyman, Jr., vol. 1,

proved the principles of armed neutrality founded on the liberal basis of a maintenance of the rights of neutral nations and of the privileges of commerce, yet they are unwilling at this juncture to become a party to a Confederacy which may hereafter too far complicate the interests of the United States with the politics of Europe. This resolution is in reality the foundation of the policy which has controlled the foreign relations of the United States, and it was subsequently formulated by Washington in the language so familiar to American ears, "Friendly relations with all, entangling alliances with none." As Lyman says, this is the only instance in the history of the country in which the United States volunteered, themselves, to become a party to a league of sovereigns in Europe. While the principles adopted by the Northern Confederacy were exceedingly grateful to the American government, and a proposal to join it was considered an effectual mode of hastening the acknowledgment of independence, in reality it was fortunate that Dana did not succeed in his mission. Francis Wharton, the editor of the "Diplomatic Revolutionary Correspondence," concludes: "That Catharine was resolutely averse to the American cause until after the definitive peace, there is now no question."*

THE WAR OF 1812.

Reference is frequently made to the Russian offer of mediation in 1813 to procure a peace between the United States and Great Britain, and this incident is cited as a proof of Russia's friendly interest in the welfare of our country. It must be remembered, however, that at that time she was closely leagued with England in the sixth celebrated coalition against France. The trade of the Baltic was greatly embarrassed, and the Russian Emperor looked upon this war with great regret as opposing the commercial prosperity of the Russian nation.

M. de Daschkoff, the Russian Minister, said:

"The peace of Russia with England seemed to present this immense advantage to the commerce of nearly all seafaring people, that it freed their relations from that constraint, from that continual vexation to which it had been subjected for many years without interruption."†

* See "Revolutionary Diplomatic Correspondence of the United States," edited, under the direction of Congress, by Francis Wharton (Government Printing-Office), vol. 6, pp. 213, 425; vol. 1, p. 265, etc.

† Lyman's Diplomacy, vol. 1, p. 436.

The mediation was declined by Great Britain. Russia was at that time in alliance with England, her interests were to do all in her power to bring about peace for the benefit of her commerce. In view of these facts, it can hardly be claimed that she was actuated by the spirit of friendship for the United States in her desire to become mediator. On the contrary, the real explanation of her friendly interest lies in the fact that, Alexander being at that time in alliance with England to counteract the power of Napoleon and fearing an attack from him, Russia naturally desired that her ally, England, should be freed as speedily as possible from the American war, so that she might give her aid to Russia in repelling Napoleon. This view of Russia's interest was confirmed by Robert Goodloe Harper, United States Senator from Maryland, in his speech in Philadelphia in 1813. He said:

"England and Russia therefore stood alone. England could spare nothing for the direct assistance of Russia except the cooperation of a fleet in the Baltic. Such was the situation of Europe about the moment of attack; and the war which, at the same moment, was declared by the United States against England was so timed, whatever might have been the intention of the authors, as to have the effect of direct and not inconsiderable cooperation with France. . . . This was a great loss to Russia."*

RUSSIA AND THE CIVIL WAR.

Frequent reference is made to Russia's friendly attitude to us during the Civil War, and to her sending several war-ships to the Atlantic and to the Pacific with "Sealed Instructions." Much has been made of this, but, even if such instructions existed, is there any basis for the conclusion that they were for any other purpose than to offset England—in other words, that her actions towards us, even during the Civil War, were but moves made by her upon the chessboard of European diplomacy?

A recent writer, referring to this, says that Prince Gortchakoff, the Chancellor of the Empire, had demanded from the Signatory Powers of the Treaty of Paris (1856) the abrogation of the clause of the Treaty which prohibited Russia from maintaining an armed navy in the Black Sea. England and France strongly opposed this. The Chancellor, in reply, sent what came very near to being an ultimatum, and, fearing that this act

* Harper's Speech. Pamphlet—Commemoration of Russian Victories (Philadelphia, 1813).

would be followed by hostilities, despatched a portion of his fleet into neutral waters, so that it would not be bottled up for destruction, as had once been the case when Russia's fleet was in the harbor of Sebastopol. This same writer states that Russia at that time was without an ally in Europe, that Nihilism was rampant, that the nobility was secretly plotting against the life and throne of the Tsar, and that the fleet was sent to the American waters for its own protection, and not for the benefit of the United States.* Be that as it may, why was the knowledge of the existence of such instructions kept from our Government, and why do not the records disclose, as would be natural under such circumstances, what those mysterious "Sealed Instructions" were, and what purpose the ships were to serve? That Russia was our friend during the Civil War, in the same way as almost all other European Powers were our friends, is entirely true. Turkey was among the first of the Powers to show positive friendship for us during the Civil War. She interdicted pirates in the service of the Confederacy from making depredations upon the commerce of our country in the ports of the Turkish Empire. This was recognized by Secretary Seward in his despatch to E. Joy Morris, then our Minister to Turkey; on June 2nd, 1862, he wrote:

"The President received with profound satisfaction the decree of His Majesty the Sultan interdicting the entrance of pirates engaged in depredating upon our commerce in the ports of Turkey. . . . Nor is the proceeding any the less entitled to our grateful acknowledgments because the piratical operations of the insurgents, such as they have been, have already been brought to an end. It will, on the contrary, be to the honor of the Sultan that he took the lead in conceding to the United States rights which it is now expected will soon be conceded by all the other maritime Powers . . . The Turkish Government has been singularly just and liberal towards us in this emergency."

That the Russian squadron came here in 1863 on a mission to aid the United States is both an afterthought and a myth. If the squadron had come here upon any such mission, would not our Government have placed on record its acknowledgment for this great act of friendship? On the contrary, Russia was very profuse in the expression of her thanks to us for the hospitable reception given to the fleet and its officers.

Cassius M. Clay, our Minister to St. Petersburg, in his despatch

* Pamphlet—"A Brief Review of Russia's Relations with America," by a Russian-American Diplomat (Washington, 1903).

to Secretary Seward of November 8th, 1863, said that His Majesty the Emperor was "now absent, but no doubt he would on his return make suitable acknowledgments to our Government of the amicable reception of his subjects at New York": that the Russian officers had "always been gratified to meet those of the American Navy, and they should be most happy, should any ships of war visit Cronstadt, to reciprocate the late courtesies extended to their countrymen."

When the Russian fleet arrived, Gideon Welles, the Secretary of the Navy, wrote to Mr. Stoeckl, the Russian Minister at Washington, a letter which shows that the visit was one of courtesy only:

NAVY DEPARTMENT, *September 23rd, 1863.*

"The Department is much gratified to learn that a squadron of Russian war-vessels is at present off the harbor of New York, with the intention, it is supposed, of visiting that city. The presence in our waters of a squadron belonging to His Imperial Majesty's navy cannot but be a source of pleasure and happiness to our countrymen [*sic*]. I beg that you will make known to the Admiral in command that the facilities of the Brooklyn Navy-yard are at his disposal for any repairs that the vessels of his squadron may need, and that any other required assistance will be gladly extended.

"I avail myself of this occasion to extend through you to the officers of His Majesty's squadron a cordial invitation to visit the Navy-yard. I do not hesitate to say that it will give Rear-Admiral Paulding very great pleasure to show them the vessels and other objects of interest at the Naval station under his command."*

After our Minister met the Emperor, he again reported to Mr. Seward, on August 22nd, 1864, as follows:

"His Majesty told me that he had allowed his officers lately in the United States to call upon me *en masse*, and express their gratitude for the courtesies extended to them in America, all of which was evidently as a national compliment."

France endeavored to bring about a joint mediation, and invited Russia and England to unite with her in the attempt, and Russia refused; but that refusal was given after, and not before, England had refused. Bayard Taylor, who was acting as Chargé at St. Petersburg, in a despatch, dated November 15th, 1862, to Secretary Seward, confirms this. He wrote:

"While I infer from the above that Russia would, to a certain extent, be inclined to take part in a movement which she foresaw to be inevitable

* This letter from the files of the Navy Department was published in the New York "Evening Post," April 18th, 1904.

on the part of England and France, rather than permit a coalition between these two Powers from which she should be wholly excluded, the probable refusal of the English Government, announced to-day by telegraph, relieves me from all apprehension of complications that might arise from the proposition. I stated to Prince Gortchakoff, at our recent interview, my belief that England would not accede, and am very glad to find it so soon confirmed."

Further corroboration of this view is contained in a later despatch from Mr. Taylor to Secretary Seward, under date of December 17th, 1862, in which he said:

"Mr. Adams having communicated, in answer to my confidential letter, an encouraging statement of the present attitude of England, I took occasion, in an interview which I had with Prince Gortchakoff last week, to read him some portions of it. This led to a renewed conversation upon American affairs, and it was very soon evident to me that the anxiety which His Excellency had manifested on previous occasions was beginning to subside. He still inquired whether some arrangement with the insurgents which would put an end to the war was not possible."

Henry Clews, in an article in this REVIEW in 1904, published a letter to him from Mr. Gladstone touching upon the attitude of the English Cabinet during our Civil War, which completely refutes the claim that England would have intervened in favor of the Confederacy but for the friendship of Russia towards us. The letter bears date May 30th, 1889, and is as follows:

"As a member of it [the English Cabinet], and now nearly its sole surviving member, I can state it never at any time dealt with the subject of recognizing the Southern States in your great Civil War, except when it learned the proposition of the Emperor Napoleon III, and declined to entertain that proposition without qualification, hesitation, delay, or dissent. In the debate which took place on Mr. Roebuck's proposal for that negotiation, Lord Russell took no part, and could take none, as he was a member of the House of Lords. I spoke for the Cabinet. You will, I am sure, be glad to learn that there is no foundation for a charge which, had it been true, might have aided in keeping alive angry sentiments happily gone by."

THE FRIENDSHIP OF THE UNITED STATES FOR RUSSIA DURING THE POLISH INSURRECTION.

But there is another side to this story, which, to use a common phrase, puts the boot on the other leg.

In the beginning of 1863, affairs in Russia were in a very precarious state. An insurrection in Poland had broken out to such a degree that considerable agitation was felt in all Europe. The

French Minister of Foreign Affairs invited Great Britain, and subsequently the United States, to join with France in bringing about the cessation of hostilities.

In accordance with our policy of strict neutrality and of not mixing with the affairs of European States, Mr. Seward gave a courteous declination to this invitation. This declination produced such satisfaction in Russia that Prince Gortchakoff published his reply to our Minister in the Russian press. I will quote a few passages therefrom:

"May 22nd, 1863—I lost no time in laying before the Emperor, my august master, the despatch which you have communicated to me by order of your Government, and which contains the answer of Mr. Seward to Mr. Dayton, relative to the recent application of the French Government upon the subject of events in the Kingdom of Poland. His Majesty the Emperor has been sensibly moved by the sentiments of confidence which the Government of the United States places in his views and designs in regard to the general well-being of his Empire. Such manifestations must strengthen the bonds of mutual sympathy which unite the two countries, and constitute a consummation which too much accords with the aspirations of the Emperor His Majesty not to look upon it with pleasure."

The insurrection in Poland at that time was occupying much more of the attention of the Cabinets of Europe, including Russia, than our Civil War. Our Minister in Paris, Mr. Dayton, in his despatch to Mr. Seward of February 23rd, 1863, reports:

"The insurrection of Poland has driven American affairs out of view for the moment. A disturbance on the Continent, especially in Central Europe, is so near at hand, and touches the interests of so many of the crowned heads of these countries, that distant events fall out of sight until these more immediate troubles are settled."

Minister Clay, in his despatch of November 8th, 1863, says:

"The Russian reception in American waters is the subject of conversation in all circles; and the gentry and the common people seem alike to understand and feel the friendly demonstration made at this time, when France, England and Austria are attempting, under the pretence of national justice, to put them under the ban of Christendom for defending the integrity of their Empire."*

THE ALASKAN PURCHASE.

It has frequently been claimed by Russia that her sale to us of Alaska was made out of friendship for this country. That is another myth.

* Foreign Relations, 1863, MS. Archives, Department of State.

Charles Sumner, who was chairman of the Committee on Foreign Affairs in the Senate when the Alaska treaty came up for ratification, in his great speech in support of the treaty, under the heading "Reasons for Cession by Russia," said:

"Turning from the question of title which time and testimony have already settled, I meet the inquiry, Why does Russia part with possessions associated with the reign of her greatest ruler and filling an important chapter of geographical history? Here I am without information not open to others.

"But I do not forget that the First Napoleon, in parting with Louisiana, was controlled by three several considerations. First, he needed the purchase-money for his treasury. Secondly, he was unwilling to leave this distant unguarded territory a prey to Great Britain, in the event of hostilities, which seemed at hand. And, thirdly, he was glad, according to his own remarkable language, 'to establish forever the power of the United States, and give to England a maritime rival that would sooner or later humble her pride.'

"Such is the record of history. Perhaps a similar record may be made hereafter with regard to the present cession. There is reason to imagine that Russia, with all her great empire, is financially poor, so that these few millions may not be unimportant to her. . . . It will be for her advantage not to hold outlying possessions from which thus far she has obtained no income commensurate with the possible expense for her protection."

Sumner, the statesman and the author of "Prophetic Voices Concerning America," was certainly correct and almost prophetic in this instance, for, with the acquisition of Alaska, the United States did undoubtedly purchase serious and threatening boundary and fishery complications with Great Britain, which were only recently happily settled by arbitration.

RUSSIA AND THE MONROE DOCTRINE.

It will be remembered that Russia was the dominant Power in the so-called "Holy Alliance," whose purpose was to suppress all forms of popular uprisings, to crush the spirit of liberty in the Central and South American Republics, and ultimately, as a logical consequence, to dominate a large part, if not the whole, of the American Continent.

Russia's relations to the Monroe Doctrine were not confined to her primacy in the "Holy Alliance." In the autumn of 1818, J. B. Provost, the American Commissioner who had been sent out by the President to receive the formal delivery of Astoria, stopped

on his return at the port of Monterey, in California, and while there prepared the report of his mission. In this report he informed the President of an incident he regarded as most serious—which was that, until 1816, the Russians had no settlement south of the fifty-fifth degree. But in that year, very probably because of Humboldt's glowing description of that region, she had established two colonies, one at Atooi in the Sandwich Islands, and the other on the coast of California, a few leagues from San Francisco.

In February, 1822, the Russian Minister at Washington, Chevalier Pierre de Politica, placed in the hands of the Secretary of State an edict of the Emperor Alexander to the effect that all rights of commerce, industry and fishing on the Northwest coast of America, from Behring Straits to the fifty-first degree, were exclusively granted to Russian subjects. Foreign vessels were, therefore, not only not to land on the coast and islands, but not even to come within one hundred Italian miles. The subject was renewed by Politica's successor, Baron de Tuyl; and, one day in July, 1823, when he called at the State Department, Adams announced to him "that we should contest the right of Russia to any territorial establishment on this continent, and that we should assume distinctly the principle that the American continents are no longer subjects for any European colonial establishments."

According to McMaster, from whose excellent chapter on the Monroe Doctrine I have drawn largely in this statement, when the time came for Monroe to write his annual message to Congress, there were three distinct matters that required the President's serious attention: "the attempt of Russia to colonize in California and her selection of the fifty-first degree of north latitude as the southern boundary of Alaska; the threatened intervention of the Holy Alliance in the affairs of South-American Republics; and the proposition of Canning for a joint declaration against them."* The Cabinet held meeting after meeting to discuss these matters; they had before them the opinions of the two living ex-Presidents, Jefferson and Madison. What was done Adams himself best describes:

"I remarked that the communications recently received from the Russian Minister, Baron de Tuyl, afforded, I thought, a very suitable

* "With the Fathers," by John Bach McMaster, pp. 1-54.

and convenient opportunity for us to take our stand against the Holy Alliance, and at the same time to decline the overture of Great Britain. It would be more candid, as well as more dignified, to avow our principles explicitly to Russia and France, than to come in as a cockboat in the wake of the British man-of-war. This idea was acquiesced in on all sides."

It follows as a conclusion that such reasons for gratitude as we may have to Russia are not for her friendly, but for her hostile, attitude towards us, in that these important incidents were mainly the cause of our formulating and announcing to the world our far-seeing continental policy.

CONCLUSION.

I have endeavored to present briefly the results of a careful examination of all accessible authentic and reliable data bearing upon the relations of the two countries, from the reign of Empress Catharine II to the present time. The inferences and conclusions from these facts are clear, that, with the exception of Russia's hostile or unfriendly attitude during the earlier years of our history, when the United States was struggling for recognition as an independent nation, and the "Holy Alliance" incident, the relations between Russia and the United States have been uniformly normal and friendly; each nation, as against the other, on all occasions and during periods of war, has strictly observed its neutral obligations, as was incumbent upon it under the laws of nations between friendly Powers. To infer that the United States is under obligations of gratitude to Russia for any special acts of friendship shown, other than such as the laws of neutrality have imposed, is to substitute a myth and the fulsome language of ceremonial functions for historical facts.

OSCAR S. STRAUS.

THE FUTURE OF CRETE.

BY H. N. BRAILSFORD.

In the early spring of 1898, a year after the Greco-Turkish war, I was sitting under the orange-trees outside a wayside inn near a remote mountain village in Crete. The graybeards of the place formed a circle, eager to question the stranger who had come from the mysterious world where consuls and admirals were deciding the destinies of the island. A young doctor, educated in Athens, the only member of the group who wore European clothes, sat at the right hand of the handsome old captain of the local insurgents, while the rank and file, respectful, silent and well-disciplined, listened at a distance. There was much to discuss and much to explain. The crisis was now dallying through its second year. The war-ships of the European Powers still patrolled the coast, causing not a little suffering by their strict blockade. Greece was defeated, passive and impotent. It remained for the Concert to speak the decisive word. I had some definite news to give. The Powers had at last made up their minds to grant autonomy. They would not permit the union of Crete with Greece, but they would concede self-government and reduce the Sultan's authority to a name and a shadow. The doctor alone seemed pleased; and, in the awkward pause which followed, one of the patriarchs began whispering to him. "What is this thing 'autonomy'?" asked the peasant. "Oh!" answered the doctor, "it's a very good arrangement, though it isn't union. It means that, instead of sending our taxes to Athens, we shall spend them ourselves." But still the old man looked sullen and worried. Suddenly an idea struck him, and with an inimitable smile of peasant cunning, he exclaimed, "We'll find some way of sending our taxes to Athens secretly!"

In that quaint answer, with its magnificent stupidity, its brain-

less idealism, lies the whole Cretan question. Europe has to deal with a gallant and obstinate peasant race, in whose minds this fixed idea of union with Greece has become an ineradicable passion. It is not so much a policy as an instinct. It is not an interested suggestion fostered by Athenian statesmen on behalf of Greece; still less is it a conception which the educated Cretans have forced upon the masses. Its hottest partisans are the simplest mountaineers. It rests on no process of reasoning or calculation. Every Cretan knows that Greece is ruined financially and politically, her administration faction-ridden, her army worthless and her future compromised. He knows that, in accepting her flag, he would have to submit to conscription and to a heavy burden of taxation. But, with the reckless exaltation of his race, he makes light of these drawbacks. It is at once the strength and the weakness of the Greek that he abandons himself without reserve to any ideal which claims his allegiance. There is nothing which even the least instructed Cretan would refuse to sacrifice to "Hellenism," and Hellenism demands the union of the Greek race under the Greek crown. The population of Crete is, perhaps, the purest Greek stock to be found in the Levant, and it cherishes a superb tradition of patriotism. It preserved its language, its literature and its manhood, while the rest of the Greek world lay passive beneath the Turkish yoke. It took a splendid part in the War of Independence. Given over by Europe first to Egyptian and then to Turkish rule, it protested in a bloody series of revolts, which renewed themselves with obstinate regularity throughout the last century at intervals of a decade. Its whole life of effort and hope for three generations has centred in this dream of union; and, after braving massacre, repression and devastation in a secular defiance of its Mohammedan oppressors, it cannot bring itself to-day to acquiesce, half-liberated, half-satisfied, in the languid veto of Christian Europe.

To understand why the Cretans are once more defying Europe behind the rampart of their mountains, we must trace in brief the history of the seven years which have elapsed since the Turkish troops were expelled from the island. The provisional régime which was inaugurated at the close of 1898, with Prince George of Greece as High Commissioner with a mandate from Europe, began with bright hopes and brilliant auguries. Nothing remained of Turkish authority save a single crescent ensign floating

on a rock in Suda Bay. Prince George was a Greek, by education if not by blood, popular because of the sea-breeze which he brought with him, and respected by these simple mountaineers for his superb physique. Greek became henceforward the official language; the legal code was modelled on that of the Hellenic kingdom; even the flag was composed of the beloved colors. The whole island draped itself in white and blue, determined to be thoroughly Greek, though it could not be a part of Greece. Its mood, moreover, was hopeful yet moderate; and a certain diffidence and conservatism chastened the confidence with which it welcomed the future. The peasants came in a passion of enthusiasm for peace, storming down from their villages, to surrender their rifles at the Canea arsenal. As they surged under the great Venetian gates, they scratched a cross upon them to signify that the reign of the infidel tyrant was ended. They had no longer a right to win or an enemy to oppose, and they disarmed to prove their perfect confidence in their new ruler. Their leaders, meanwhile, were translating that confidence into a deplorably autocratic constitution. They distrusted themselves; they knew their own tendency to faction and feud; they had studied the unhappy failure of unchecked democracy in Greece itself. "Europe," said a splendid veteran of four revolts in my hearing, "has put a fiddle in our hands, and we do not know how to hold the bow." And somewhat too simply they gave the bow to Prince George. The constitution made him an autocrat. His ministers are mere secretaries appointed by him and responsible only to him. The representative chamber, which meets only once in two years, is only three parts elective, while the other members are nominated by the Prince. Its functions, moreover, are merely deliberative, and it can exercise no real check upon either the Prince or his ministers. The whole official hierarchy of the island depends directly on the Prince, who can appoint or dismiss at his pleasure. It was a tremendous power to confer upon a young and untried man, whose only administrative experience had been gained in commanding a flotilla of torpedo-boats. He came with no great name for wisdom—he was said to be a commonplace devotee of commonplace pleasures; and the business of ruling a little island where there is no "society," and where even the leaders of local opinion delight to wear their picturesque peasant costume, very soon began to pall upon him. Prince

George began to compare himself to Napoleon on St. Helena and Dreyfus on the Devil's Isle. The result was that the real business of governing fell into the hands of his Greek secretary, and the Cretans began to complain that they were being exploited for the benefit of this gentleman's personal friends, strangers from Athens, who neither knew nor loved the islanders. It may have been necessary to import a certain number of experts, but these highly paid Greek functionaries were, unhappily, as incompetent as they were unpopular. The Cretans have an intense enthusiasm for "Hellenism" in the abstract, and desire a union with Greece; but they have no exaggerated respect for the Greeks of the mainland, who are, as far as my observation goes, morally and physically their inferiors. Indeed, I often used to suspect that the true Cretan, in his secret mind, imagines that union means the annexation of Greece to Crete.

It was true, no doubt, that Crete had obtained autonomy, and that the Sultan retained no vestige of power over its internal affairs. But, economically, it was still tied to the bankrupt Ottoman system. The Turk is not the only tax-gatherer in the Levant. The European bondholder, who has a mortgage over so many of the best sources of revenue in the Turkish Empire, has to be reckoned with, even after the Porte has been eliminated. His shadow darkens Cyprus, despite the English annexation; and his presence is still felt in Crete. The Turkish tariff is regulated by international treaties, while certain taxes, surtaxes and monopolies are earmarked for the service of the Ottoman Public Debt. Crete remains in theory a part of the Empire, and it must pay year by year its share of its former conqueror's debts. Whatever its local needs may be, it cannot increase its import dues to suit its own requirements; they are fixed by the will of Europe. The result is that Crete, during all these years, has been struggling with an inadequate revenue, to make good the ruin and the devastation caused by long misrule and periodic revolts. In many districts, the olive groves had been cut down during the civil war, and villages burned to the ground. The roads were decidedly worse than they normally are in Turkey, and one could say nothing more damaging about a road than this. The harbors, where once great fleets of Venetian galleys could ride in comfort, were neglected and ruinous, and quite unsuitable for any but the smallest coasting steamers. The Church possesses considerable

funds, but as it still depends directly on the Patriarchate in Constantinople, these funds cannot be appropriated even for the maintenance of schools. There was talk, when I left the island in 1899, of inducing French capital to develop the vineyards, and of inviting a German syndicate to construct a railway; but foreign investors refuse to adventure under a régime so manifestly unstable and provisional. The result has been that all the projects which the Cretan leaders used to discuss before Prince George arrived—their national schools, their agricultural college, their cooperative dairies on the Danish model—have remained mere memories of disappointment. The economic state of the island is no better than it was under the Turks, and some observers even go so far as to say that it is actually worse. It is no want of capacity which explains this failure. The law-courts are said to be honest and reliable, and the *gendarmerie* under Italian instructors is, by all accounts, a model force. But, without the power to raise money by some more elastic system of taxation, there can be no economic progress; and, so long as Crete remains an integral part of the Ottoman Empire, it cannot hope for fiscal freedom. The little crescent flag in Suda Bay has turned out, after all, to mean something. It is as ever the symbol for fetters and stagnation.

Here, then, were powerful arguments for change. A provisional arrangement which involved a mild but decidedly illiberal despotism, on the one hand, and economic stagnation, on the other, could not be popular; and its failure only reinforced the hereditary instinct of the Cretans in favor of union with Greece. The more they manifested their discontent, the more the administration exaggerated its original tendency to arbitrary and personal rule. It is some years since I have been in Crete, and I should not like to speak too positively of Prince George's mistakes; but I have met no European who has lived in the island who had a good word to say for his administration. On the one hand, he played the despot. The local independent newspapers were destroyed, and the right of public meeting withdrawn. Worst of all, the mayors and prefects, who had originally been elected by the inhabitants of their districts, were degraded to the position of mere officials nominated by the Prince. At the same time, he aspired to be a sort of party leader. He toured about, making violent political speeches whenever an election was in

progress, and organized his army of placemen who depended on his personal favor into a cohort of partisans. Quite early in his term of office, he contrived to alienate the best men among the leaders who had conducted the insurrection with so much patience and wisdom. The President of the Provisional Government, Dr. Sphakianakis, an extremely able and, what is rarer, a wise and disinterested man, went into retirement when the Prince arrived. He is a man of great experience and moderation, a student by temperament, steeped in his metaphysics and his sciences, but so generally respected that a word from him could always restrain the hottest heads from excesses during the angriest period of the revolution. Why such a man should have had to give way to a young Prince, of no conspicuous ability and no particular education, is one of the mysteries of politics. Before two years were up, his two chief lieutenants, MM. Venizelos and Foumis, were dismissed by Prince George from the ministry. They are younger men, but able, energetic, and fertile in ideas which may yet prove the salvation of the island. A violent personal feud sprang up between the Prince and the veteran Captain Hadjimichali, a patriarch who had led the mountaineers in many a victorious fight against the Turks long before Prince George was cradled. By the summer of last year, when the Prince cast Professor Jannaris, a philologist of European reputation, into Canea gaol, the rift between himself and his people had become desperate. Deputations waited on him in vain with petitions and remonstrances; his manner of insulting and browbeating them only gave a bitter personal aspect to a grave political dispute. It was now quite clear that no solution remained save union with Greece. To Prince George it provided an honorable and graceful path of retreat. He could retire and bring with him in his withdrawal a great gift to the Greek nation, and confer, at the same time, contentment on Crete. To the Cretans, it meant an escape from the despotism and the economic bondage of the previous six years. Greece is not a model state, but at least, it has a democratic constitution. Any permanent solution seemed better than a state of uncertainty and unrest, which prevented the influx of capital and kept men's minds in constant turmoil. Prince George, accordingly, devoted the closing months of 1904 to a tour among the European courts. The Powers had never intended to make him the permanent sovereign of Crete. His mandate was only

for three years, and it had already been prolonged for a second term. He urged that the time had at length arrived for a definite solution, which could only be a union with Greece. But either his pleading was half-hearted or the Powers were deaf. His term was once more extended, and he was weak enough, or vain enough, to accept the dangerous mission. He returned to Crete and reported his failure.

What followed is recent history. For a month or two the Cretans were passive, and then suddenly they rose in arms. A sort of provisional government was established at Therisso, a stronghold in the mountains, near enough to Canea to threaten the Prince's administration, far enough from the sea to be out of range of the European war-ships. Dr. Sphakianakis and MM. Venizelos and Foumis are at its head, and it soon received the allegiance of the whole interior. Simultaneously, under very strained conditions, a general election was held; and, though the members were probably drawn for the most part from the Prince's party, the Chamber adopted the programme of the insurgents and solemnly proclaimed the annexation of the island to Greece. The Prince threatened, but he had no force behind him; and he too could only reiterate his prayer that Europe should assent to union. It is a whimsical display of unanimity. In other lands, subjects rebel to emphasize some difference of opinion with their rulers. The Cretans have taken up arms to prove how violently they all agree.

It is only necessary to sum up the moral which lies on the surface of this brief historical survey, in order to state the case for union. A mind which acknowledges any allegiance to democratic principles will ask for no special pleading. The Cretans themselves demand it, steadily and with unanimity, and that, in the absence of any overwhelming reason on the other side, should be argument enough. They are not a wild race of turbulent and inconsequent rebels. Even the peasants, for all their simplicity, are remarkably intelligent and even well-informed. Illiteracy is exceedingly rare among the men. They have the Greek passion for letters. I have heard a little wandering pedler passing the long hours of a winter night entertaining a group of storm-stayed travellers in a wayside inn by reciting long extracts from the Odyssey. Their leaders are often men of judgment and culture.

I knew most of the men who are now the chiefs of the insurgents at Therisso. One of them used to carry about with him a little pocket edition of Kant's "Critique of Pure Reason," which he was trying to translate into modern Greek during the lulls of the last insurrection. Another could entertain us with recitations from a repertory of six or seven plays of Æschylus and Sophocles which he knew by heart. A third surprised me, during the discussions which preceded the drafting of the Constitution, by the variety and thoroughness of his knowledge of constitutional law—he was forever balancing an English principle against a French, or citing some provision from the then recent German code. It is a little ridiculous for a few European diplomatists to affect to treat such men as minors unfit to judge for themselves, or to carve out their own destinies. We are too apt to talk about the majesty of the Concert, as though it were some sublime abstraction. It resolves itself into half a dozen permanent officials, who have studied the problem only through the medium of consular reports, and who have developed a certain bloodless indifference from a long habit of handling human affairs without ever coming into contact with men. They approach the problem as a nuisance. They oppose a sort of bureaucratic inertia to the idea of any change. They know that any alteration of the *status quo* involves some trouble and some effort, and their whole bias is to postpone it until it is forced upon them. They probably feel that the Cretans, by taking up arms and making an unseemly disturbance, have transgressed against international good form; they resent the conduct of the Cretans in doing so, and feel that to yield to such insistence would be to create an inconvenient precedent. They forget that things have come to this pass only because they themselves have neglected their duty as the guardians and protectors of Crete. Prince George is not a sovereign in his own right. He is merely the High Commissioner of Europe. It was the business of Europe to watch his proceedings with some attention and concern. A word from the Powers, at any time during the last six years, would have checked his arbitrary rule and induced him to modify the Constitution. A few reforms in this sense a year ago would probably have averted the present rising.

There is only one respectable argument which can be raised against union, from the standpoint of international politics. It

may, indeed, be urged with great cogency that Crete itself might suffer from a too close association with the rather corrupt political world of Athens; but, after all, the Cretans are mature enough and intelligent enough to assess such risks for themselves. What diplomacy fears is, rather, that the annexation of Crete to Greece may have an undesirable influence upon the Macedonian complication. There is some force in this reasoning. Bulgaria might, conceivably, ask for compensations, and demand the annexation of Macedonia as a set-off to the aggrandizement of her rival. It would be an insincere claim, for there is really no parallel between Crete and Macedonia. The Cretans are all Greeks and demand union. A considerable minority of the Macedonian population is non-Bulgarian, and what the Bulgars demand is not union with Bulgaria, but autonomy. But it is just possible that Bulgaria might make use of the precedent. Certainly, the Greeks fear that she would do so. In all this curious situation, the oddest feature is that the Greek Government has declined to give the Cretans the slightest encouragement. Eight years ago, Greece sent a little army to annex Crete. To-day, she will not even address a note to the Powers. In principle, she is as eager as ever for the union. But she is profoundly anxious about Macedonia and prefers to concentrate all her efforts on the preservation of her influence there. Sooner or later, Crete must be hers, whereas her chances in Macedonia are exceedingly slender. One may admit that the annexation of Crete to Greece would have a certain reflex and indirect effect upon the Macedonian question. But would it, necessarily, make for evil? In the first place, by distracting the attention of the Greeks to Crete it would lessen the tension of the present internecine strife between Greeks and Bulgars within Macedonia itself—a feud which is devastating the country, ruining both races morally and financially, and creating an anarchy which would defy even an earnest attempt at reform. In the second place, even if a change in Crete should precipitate a crisis in Macedonia, it has first to be proved that a crisis is undesirable. Could anything well be worse than the eternal delays, the constant unrest, the insincere reforms, the patchwork solutions which drag on from year to year in that most miserable corner of Europe?

The Cretans have one circumstance in their favor. It will be uncommonly difficult to coerce them, if they are really determined

to reject a compromise. Prince George has no force of his own. There are, of course, the international contingents concentrated in the seaports. But even these are not numerous, and they would find the conquest of an elusive enemy in a mountainous and sterile country a rather difficult task. That is, one hopes, an undertaking on which three liberal Powers would embark not without some shame and reluctance. It is, indeed, a possibility which one may almost dismiss, for the simple reason that it would render the position of Prince George totally untenable. He is not in favor at present, but if he were to call in foreign troops to repress a revolt of his subjects and to prevent the union of Crete with Greece which the whole Greek race desires, he would be regarded, with some justice, not only in Crete, but throughout the Levant, as an enemy of Hellenism. It seems, then, as if the Cretans might, if they so chose, defy the Powers with comparative impunity. The Ambassadors of the four guardian Powers in Rome, who form the responsible Committee charged with the management of Cretan affairs, are now drafting a belated list of reforms. If they could inaugurate a constitutional régime and give to the island some measure of economic freedom, there seems at a first glance no reason why it should not be moderately happy. But the passionate sentiment in favor of union has to be reckoned with, and it has now been thoroughly aroused. It seems too much to hope that the Cretans should ever again take Prince George to their hearts. And, lastly, no temporary arrangement, however good in itself, is likely to bring that rest to men's minds and that influx of capital which are absolutely necessary, if Crete is to become contented and prosperous. What the Powers refuse to-day, they will certainly have to concede at no very distant date in the future. The generous and the liberal course is to remove a veto which cannot be maintained forever, and generosity is often the wiser statesmanship. This rugged island, with its simple population of mountaineers, whose only foible is their ardent love of liberty, can never be a menace to the world's peace. To refuse what it demands is to display at once an exaggerated fear and a somewhat churlish indifference. The Cretans ask only for the common human privilege of disposing of their own destinies. It is the weakness of the diplomatic mind that it considers the consequences too curiously, and ignores the plain question of right.

H. N. Brailsford.

IRELAND'S REPRESENTATION IN PARLIAMENT.

BY EDWARD PORRITT.

In the period between the American Revolution and the Reform Act of 1832, when the demand for a reform of the British Parliamentary system first became general, it was frequently objected that any addition to England's representation, or any overhauling of the nondescript system of Parliamentary representation in Scotland, would be a serious breach of the Act of Union of 1707. To-day the same argument is advanced against the proposal that Ireland's representation at Westminster, now out of all proportion to her population, shall be reduced.

When Grey and Russell in 1830-32 approached the problem of Parliamentary reform, no heed was given to the argument that a remodelling of the representation would be a breach of the compact between England and Scotland in the reign of Queen Anne. Numerically, Scotland gained by the Reform of 1832. But the old Scotch system was swept away in its entirety. It was entirely changed so far as the representation of the counties was concerned; and, except that the grouping of burghs was partially continued, little was left of the burgh system as it had come down from 1707.

If it was no breach of the Act of Union of 1707 to interfere with the Parliamentary representation of Scotland in 1832, it surely cannot be a breach of the Act of Union of 1800 to alter the Parliamentary representation of Ireland in 1905. It will be much less a breach to deal with Ireland's representation than it was to change the system of Scotland, as was done in 1832; because the Union of 1707 was a compact between two nations, each desirous of union; while the Union of 1800 was just a deal—a vulgar deal, with the borough-owners of Ireland.

It is necessary to use a comparatively new American word to describe these Irish borough-owners. They were "grafters." They were grafters of the worst kind; and they and their predecessors in control of Irish Parliamentary representation—county as well as borough—had been grafters from the Revolution of 1688 to the Union which partially—only partially—made an end to them in 1800. They were of the English garrison in Ireland. For a century preceding the Union they had drawn big pay for garrison service. Much of this pay—between 1700 and 1800, the largest part of it—had come to them through their long and absolute control of the representation; and when they were to be deprived of this control by the Act of Union, they were in a position to extort large sums, in cash down or in control of boroughs and counties which were to send members to the Parliament at Westminster, or in peerages and well-paid offices, as compensation for being deprived of their opportunities for graft.

It was due to these grafters that the Union of Ireland with England had none of the solemnity, the dignity or the statesmanship which marked the Union of Scotland with England, and made the Act of Union of 1707 one of the greatest Parliamentary enactments ever spread on an Anglo-Saxon statute-book.

In 1707 the Union preliminaries were managed by Commissioners openly delegated by each nation. Everything was settled by written communications between the Commissioners. Every minute, every protest and answer exchanged at the Cockpit at Whitehall went on the record. They can all be read to-day in the Acts of Parliaments of Scotland, as published by the Record Commission. At this juncture they should be carefully read by the politicians who are opposing the reduction of Irish representation on the ground that such a reduction would be a breach of the compact of 1800. Along with them should be read the history of the Union of Ireland, which is to be found in the Cornwallis and Castlereagh Correspondence.

These politicians—Irish or English—should note the dignity with which the Lords Commissioners for Scotland demurred to the English proposal that Scotland should have thirty-eight representatives in the House of Commons at Westminster. They should note the persistence with which they pressed for a larger number. They asked for a conference on the question. They had "found such difficulties in that matter," reads their demurrer of

June 11th, 1706, "that they are under the necessity to propose a conference between the Lords Commissioners for the Kingdoms on that subject, in which their Lordships doubt not but to satisfy the Lords Commissioners for England that a greater number than is mentioned in the said proposal will be necessary for attaining the happy union of the two Kingdoms so much desired." The conference took place next day. The Scotch appeal for a larger representation was not at once acceded to; and on the 14th of June, the Scotch Lords Commissioners, through the Earl of Mar, reported that "they found themselves still under an absolute necessity, for bringing to a happy conclusion the Union of the two Kingdoms, to insist that a greater number than thirty-eight be agreed to as the representatives for Scotland in the House of Commons in the Parliament of Great Britain." Scotch persistence carried the point. On the 15th of June the English Commissioners submitted a new proposal. "The Lords Commissioners for England," it reads, "being assured by the Lords Commissioners for Scotland that there will be found insuperable difficulties for reducing the representation of Scotland in the House of Commons of the United Kingdom to thirty-eight members [there were one hundred and fifty representatives of the shires and burghs in the Parliament at Edinburgh], the number formerly proposed, the Lords Commissioners for England do, to show their inclinations to remove everything that would of necessity be an obstruction to perfecting the Union of the two Kingdoms propose to the Lords Commissioners for Scotland that forty-five, and no more, be the number of the representatives for that part of the United Kingdom after the intended union." Three days later the Scotch Commissioners reported that they did not "insist for greater number"; and forty-five was fixed as Scotland's representation by the Articles of Union.

No such official record exists of the preliminaries to the Union with Ireland in 1800. There is absolutely nothing official in print on the subject, except the Acts of the Parliaments in Dublin and at Westminster which brought about the Union. The Irish grafters of 1799-1800 had no mind to follow the precedent of 1706-7 and settle the terms of the Union by Commissioners. A Commission, with records afterwards to be officially published, is the last mode of procedure to commend itself to grafters in any country or in any age. There were no Commissioners for the

Union of Ireland with England; two nations did not come solemnly together to arrive at an understanding, and afterwards to give it binding force by Acts of Parliament. The preliminaries to the Union of 1800 were settled in secret by Pitt and his colleagues in Downing Street, and by Castlereagh and Cornwallis with the Irish grafters in the dark recesses of Dublin Castle.

Most of the bargains were made by Castlereagh, the only Irishman who had ever held the office of Secretary to the Lord Lieutenant of Ireland. He made the bargains with the Irish aristocrats who controlled representation in the Irish House of Commons; and sent them to Downing Street for approval and ratification by Pitt. Both Castlereagh and Cornwallis detested and abhorred the dirty business in which they were engaged.

There could be no official record of such preliminaries as went forward in Downing Street and Dublin in 1799 and 1800. But there are extra-official records of these bargains, and official records of some of the transactions—as, for instance, the Act of Parliament voting £1,260,000 to the Irish aristocrats and the Irish Church as compensation for the disfranchisement of 84 out of the 117 boroughs which sent members to the Irish House.

There is also an official report of the Commission which distributed this plunder among the Irish grafters. But the real story of the preliminaries to the Union is to be read in the published correspondence of Castlereagh and Cornwallis. In these four volumes is to be found the most sordid and squalid story in modern British political history. Graft is written large over it all—graft for Ireland's titled and untitled aristocracy; graft for the Irish bar, and for the English Church in Ireland. In 1799-1800 there were no dignified proceedings such as those at the Cockpit at Whitehall in 1706. The two nations did not come into conference through accredited Commissioners, each nation realizing the advantage of union, and each willing to make concessions to bring it about. Pitt was determined on union; and the Irish grafters who controlled representation in the House of Commons were willing to comply on terms—not on terms which should be of advantage to the Irish nation, but for payments made individually to themselves.

Pitt had a varied currency with which to go to market. He could pay cash outright—some from the secret-service fund, and much more by a later vote of the House of Commons at West-

minster. He had titles and honors to bestow, and also civil, judicial and ecclesiastical patronage. Most important of all, he could reward complacent grafters by putting them in control of Irish representation in the Imperial Parliament at Westminster. Not all the grafters demanded their plunder in cash; although Castlereagh's pledge that £15,000 should be paid from the Imperial Treasury, in respect of each Irish borough disfranchised, did more to carry the Union than any consideration of statesmanship or of other private advantage.

In considering the question whether a reduction of the Irish representation in 1905 is a breach of the Union compact, the bargains which fixed the number of Irish members at one hundred are more important than the bribes in cash, offices or titles for which Pitt, through Castlereagh, secured the fee simple of Irish Parliamentary corruption.

In the Castlereagh and Cornwallis correspondence is the fullest record of these bargains and deals. There are other letters and memoirs which throw additional light on them. But the opponents of curtailment will look in vain for any record of statesmanlike deliberation over the number of Irish members to be seated in the Imperial Parliament; for any serious discussion of the number of members which Ireland was entitled to on a comparison of her population with that of England. That question was not seriously raised until the bill for the Union was before the House of Commons at Westminster, in April, 1800. Then Grey, who carried the Reform Act of 1832, proposed an instruction to committee, calling for reforms in the English representation and reducing the representation of Ireland from 100 to 85. Only 34 members voted with Grey; and accordingly nothing came of his proposed instruction to the committee.

If Grey's instruction had been carried, it would have wrecked the whole scheme of deals and bargains with which Castlereagh had been busy for the preceding eighteen months. Irish representation at Westminster was a most important part of the currency he had to pay out when making his bargains with the grafters in Dublin. At the outset he asked for 126 members as Ireland's quota in the Imperial Parliament. While he wanted 126 members, he firmly insisted that with fewer than 100 he could not make his payments to the Irish grafters. There were 300 members in the Irish House of Commons.

At an early stage in the negotiations it was suggested by the Duke of Portland, who had been Lord Lieutenant of Ireland, that none of the 117 Irish boroughs need be disfranchised. Portland's idea was that the Irish boroughs should be grouped after the manner of the Scotch burghs for election of Members to the House of Commons at Westminster. For a brief period Castlereagh turned this proposal over in his mind. But he quickly realized that it was not a scheme that would recommend itself to the rapacious grafters with whom he was negotiating for the Union.

The control of an Irish borough was a certain fortune for a needy Irish aristocrat who knew how to market his political wares at Dublin Castle. For a bishop, the control of a borough meant transference to a more wealthy see. For a baron or a viscount, the control of three or four boroughs—the ability to nominate six or eight men to the House of Commons—meant a marquisate or an earldom, a bishopric for a son or nephew, and control of civil, legal and ecclesiastical patronage in half a province.

Castlereagh better than any of his predecessors—for he was an Irishman and before the Union never long out of Ireland—knew all this. He knew it better than Pitt or Portland; much better even than Cornwallis, who at this time was Lord Lieutenant. Castlereagh knew that a third interest in the control of a group of boroughs electing one member to the House of Commons at Westminster, would be of no value as compared with the complete and sole control of a borough electing two members to the Parliament at Dublin; and he was forced to devise a scheme whereby the representation of Ireland in the Imperial Parliament would form a valuable part of the currency at his disposal for the grafters.

Questions of population gave Castlereagh no concern, until he was nearly at the end of his odious task—until it had been determined that only 33 Irish cities and boroughs should be represented at Westminster. Then statistics of the Hearth and Window Taxes were requisitioned to determine which of the Irish boroughs should survive as Parliamentary units. Population statistics did not trouble Castlereagh at the stage of the bargaining of which I am now writing. His urgent exigencies demanded 100 members from Ireland in the Imperial Parliament. Many of the more powerful grafters controlled county representation as well as boroughs; for in 1799 Roman Catholics had been

enfranchised for six years, and the possibility of exploiting the Catholic forty-shilling freeholder voters had already been fully realized by the county bosses. Castlereagh had to buy off their hostility to the Union as well as that of the borough-owners. So it was reported from Dublin Castle to Downing Street—presumably, though not certainly, by Castlereagh—that a third interest in an election was "of so awkward a description that it would be held in little estimation by the borough-owners."

In the long run, Castlereagh had his way, both with regard to the number of Irish members to have seats in the House of Commons, and to the distribution of electoral power between the Irish counties and the Irish boroughs. But his plan was not based on Ireland's population, nor on any contribution she was to make to the Imperial Treasury. If Castlereagh had had a secret-service fund which was bottomless; if he could have been more lavish with pledges of peerages and promotions in the peerage; or if he had had limitless patronage at his disposal, he might not have had to make the stand he did for one hundred members.

Representation in the Imperial Parliament, with the certainty that the men who had controlled county elections and borough elections to the Parliament at Dublin should control elections to Westminster, was part of Castlereagh's most valuable currency. He needed all that he could obtain of this kind of currency; and this fact, rather than any understanding between the two countries—any agreement worthy the name of a treaty or compact, or to be compared for a single moment with the compact made by the English and Scotch Commissioners in 1706—was responsible for the 100 members allotted to Ireland at the Union.

I have given close attention to the history and working of the Irish Parliament—representation it could not be called; for, as the Duke of Rutland, when Lord Lieutenant, wrote to Pitt in 1784, the Parliamentary system of Ireland "does not bear the smallest resemblance to representation." I have sought for everything in print and in MS. that concerns the Union; and I have yet to find any evidence that either Pitt or Castlereagh imagined in 1799-1800 that they were making a compact which should be regarded as sacred—that they were determining for all time that the number of Ireland's representatives at Westminster should never under any conditions fall below 100.

EDWARD PORRITT.

THE QUEST.

BY MARGARET SHERWOOD.

Dedicated to the Scholars who die Young.

"And He placed at the East of the Garden of Eden the Cherubim, and the flame of a sword which turned every way, to keep the way of the Tree of Life."

WEAVING a purple web within the loom,
His mother's mother told one day a tale—
While the gold sunlight touched his hair to gold—
Of the dim glory of a garden where
God's wisdom bloomed in fashion of a tree:
An angel, in a pulsing robe of light,
Guarded the pathway; and a sword of flame,
Gleaming at dawn to eastward, barred the way,
Lest men should pass and pluck the heart of life
From out its secret hiding. Rapt he stood,
Nor heard aught else henceforward; for the air
Murmured about his ears with tongues of flame,
And unseen fingers beckoned.
As he sat
Guarding his sheep in the still grass, a palm
Called through the noonday heat across the sand
And the faint mountain blue beyond the north
Called with the beauty of earth's farthest rim.
By aspen pale or poplar, listening,
He heard the echo stirring in the leaves
Which every tree that puts forth root and bud
Hath from the Tree of Life. Lily and rose,
Remembering the garden where they grew,
Whispered of beauty to make dim the eyes;
Thistle and thorn dreamed with him of the spot

Where they had never grown; but none could tell
The path forgotten, and the ancient wind,
Which sang of having kissed the very leaves,
Sped from him when he prayed it lead the way.

So, betwixt dream and dream, he grew to man,
Driving the plough across the field at dawn,
Folding the flocks at dusk, as others used,
Yet all was faint before him. Word or cry
Smote on his ear as something come too far
For him to catch the meaning. Near and near,
He heard the murmur of the Tree of God.

One day the almond-trees upon the hill
Flushed silently to bloom, and with the spring
A maiden passed. Behold! the tongues of flame
Spoke through her hair and flickered in her eyes.
White foot by foot bathed in the rippling stream,
They sat where green grass marked the waterways
With forehead touched to forehead; and the sun
Flung on them glory of long golden days,
The shadowy night crowned them with shining stars.

Leading his flock one morn along the hill,
Eastward he saw a sword of flame, and paused,
Blinded by glory, stung by very joy
To hunger for the far horizon line.

Her drooping hair crushed dark against his breast,
The woman softly wept: "I bid you stay."
"Ay," he made answer, "in mine ears; and yet
Within my heart of hearts you bid me go;"
Then kissed her lips and pondered how to choose—
Fingers that beckoned, or dear hands that clung.
When dawn shone on his face he rose, and passed
Beyond the flat roofs of his kin, beyond
The drooping water-willows, and the paths
The kine had trodden daily to the fields,

Beyond the faint blue mountains to the north,—
And men forgot him as he searched for God.

Gray days and green he wandered, asking now
The reeds beside the river, now the folk
Gathered about the door at eventide,
And now the birds that skimmed the upper air
On wide, unwearied wings; but none could send
His yearning feet on their appointed way.
Ruddy the vats at treading of the grape,
Yellow the harvest-fields, and sweet the flowers,—
Red lily flushed with color of the sun,
White lily, pure with passion of its flame,—
That bloomed beside him: women's words were kind,
Friendly the men who trod the threshing-floors,
Yet none could stay him. Once he saw the light
Of sunset gleaming through a distant tree
On a far mountain, and pressed on through dark
And pathless ways, flint-covered; but he found
Naught save the great green cedar of the north,
With hawk and eagle nesting in its boughs,
And turned again to follow still the joy
Of bleeding feet that question not their goal.

Olive and fig were gathered, and the trees
Bared their brown branches to the greening fields;
Faint with the hope of everlasting spring
Grew the young wheat and the narcissus flower,
When he who walked the inner hills alone
Came one day to a spot, withdrawn, apart,
And, kneeling, worshipped; for upon his eyes
Smote perfect glory man may not behold.
Now the great murmur of the sacred tree
Sang loud within his ears, nor did he heed
The voice that bade him backward lest he die.
Light fell upon his forehead as he stormed
The garden of the secret of the Lord,
Alone, undaunted, met the flashing sword
And died, being glad to die so, in the light.

The woman, who had followed him afar,
Saw not the angel, nor the tree, nor sword,
Nor dreamed the garden; but she saw the face
On which the shadow of the Tree of Life
Had flickered in his passing, and she knew
The beauty that had won his soul to flame,—
Nor asked for other wisdom till she died.

MARGARET SHERWOOD.

PSYCHOLOGICAL STUDIES OF THE CHIMPANZEE.

BY PROFESSOR R. L. GARNER.

THE scope of my studies of the speech of monkeys embraces two distinct fields of research, the one dealing chiefly with the physical and the other with the psychic problems of the subject.

The first, and perhaps the simplest, line of investigation is the study of the natural vocal sounds of the animals in question, to resolve them into their phonetic elements and, by the aid of associated acts, to translate them into equivalent terms of human speech. This naturally includes an incidental study of the organs involved, their mutual relations and manner of action. Another and more difficult branch of work is that of developing the latent faculties of an animal by imparting to it new ideas or impressions, inducing it to think and act beyond the limits of actual necessity, teaching it to distinguish and utter new speech sounds and to interpret their essential meaning.

In all stages of progress in the foregoing studies, the mind of the inquirer is constantly drawn towards the metaphysical side of the question, and every interrogatory concerning the fundamental principles of speech turns to psychology for a final answer. This leads the student into a study of the mental habits and resources of the animal, those attitudes of mind which are called "passions," "emotions" and "sensations," the powers of perception, the range and character of concepts that define and express themselves in the palpable form of speech or definite gesture as a substitute for it and the precision with which these are executed.

Yet this is not the limit of inquiry. The solution of each problem immediately becomes the basis of a new one, and thus the investigator is gradually led into another realm of inquiry

and there confronted with questions of the nature and source of those still more remote agencies that give the initial impetus to that train of activities which culminate in speech, the influences which formulate or modify the subtle energy called "psychic force," into definite forms of thought and direct them to definite ends. The study of those phenomena and their correlation to speech and its concomitant faculties constitutes the chief part of my present task and supplies the subject-matter of this article.

That artificial stimuli applied to certain cerebral centres cause certain organs to functionate is not an answer to the question at issue. Most of the experiments along this line that I have witnessed in the laboratory are purely mechanical and do not explain the mysteries of thinking or the volition of acting. As auxiliary facts, their value is readily admitted; but, as a solution to the problem of conscious cerebration, they are not, by any means, conclusive.

While pursuing that line of inquiry, the idea occurred to me that some of the higher types of the simian race might learn to utter a few of the simpler words of human speech. The likeness in structure and unity of function of their vocal organs to those of mankind amply justified the theory: and, being farther stimulated by certain eminent men of science, I resolved to put the matter to a crucial test. This was finally accomplished by a young chimpanzee, who learned to pronounce the word "*feu*" (fire), and knew the meaning of it. Other experiments along the same line were carried to satisfactory conclusions: but this one instance of an ape having acquired the sound and learned the meaning of a new word is sufficient to demonstrate that the dormant faculty is present and may, by proper efforts, be stimulated into action.

The methods employed and the results obtained in the earlier stages of my work have already been made known through the press of both hemispheres, and therefore need not here be reviewed. Attention is merely called to them at this juncture as a preface to my current work, and to place them in the proper order of their sequence.

Finding it difficult to fulfil my present mission to this country in time to reach home before the cold season set in, I arranged my programme for an indefinite sojourn here. Accordingly, I selected a location, such as, I think, affords the best conditions for

the purpose of conducting the experiments in hand: and I shall now digress for a moment to point out my geographical whereabouts and describe my surroundings.

My place of abode is about two degrees south of the equator, and some forty miles, in a straight line, from the coast, a little more than a hundred miles southeast of Cape Lopez. It is on the southeast side of the lake of Fernan Vaz, and near the mouth of the Rembo flowing into the lake from southeastward. To the west of my retreat lies the lake, and on all other sides the vast forest of the Nkami, extending for many leagues away to the interior. Through this forest, there is no road or trail within some miles of me, nor any trace of human habitation. The forest abounds with all kinds of wild animals peculiar to the African tropics, among which are the chimpanzee and gorilla.

This is one of the favorite haunts of the former, while that of the latter is on the west side of the lake, nearer the seacoast.

At the place indicated, I have had a small area of nearly an acre of the forest cut away, and in the opening thus made I have erected a small, but fairly comfortable, house, a galley and other annexes, all of bamboo and palm. Here I am living a kind of hermit life, not devoid of charms unknown to the dwellers in cities.

In September last, about the time of locating here, I secured a young female chimpanzee, of the kind locally called the *kulu kâmbä*, and known to zoologists by the specific name of "*calvus*." She was a fine specimen of her race, highly intelligent, kindly disposed and very docile, with a genuine sense of humor and a bit of that curiosity which is more peculiar to her sex than to her race. She was very observant and quickly turned her observations to good account. She was rather timid in many things, and in all things suspicious. Her large, brown eyes were more human-like and expressive than those of any animal I have ever known.

The natives from whom I bought this ape claimed that she was at least two years old; but in my own opinion she was something less than half that age. They had given her the native name of Misé (pronounced Mee-say), and I continued to call her by that name, which she readily recognized, even in the midst of conversation or other distractions about her at the time.

As a preliminary step, essential to the success of the experi-

ments contemplated, I devoted a few days to cultivating the friendship and confidence of Misé. During this time I allowed no one else to give her food or drink under any pretext, as my desire was to make her realize, as fully as possible, her entire dependence upon me as the only source of such things. My native servant, of course, kept her cage in order; but during that operation I removed her and took her for a walk.

In the mean time, I prepared a few simple devices for the initial experiments in testing her sense of form. These were similar in principle to those used in training children of feeble minds; but they were much less complex, as they were designed to reach a lower mental horizon than that of children.

The first of these devices was a plain, pine board, twelve by six inches, through which a hole, two inches square and slightly bevelled, was cut. A block of the same material, corresponding in size and shape to the hole in the board, was snugly fitted into it.

At a moment when Misé appeared to be in a suitable mood for the first step of the experiment, the square block was given her to play with; but she evinced little or no interest in it, until she observed that every time I placed it in a certain position and then turned it up, it produced a peanut. That at once aroused her interest in the matter and she tried the feat herself. Being a novice at such tricks, she was not able to make the nut appear every time; but with a little assistance from me she succeeded often enough to keep up her interest in it. Some clever, young magician may suspect why this was so; but I don't think Misé did.

Having performed this act an infinite number of times within a day or two, the block, alone, failed to produce the peanut and the board was then introduced. She was shown how to fit the block into the opening in the board, but that did not interest her, until, by adjusting the block and turning up the board, it brought forth the nut. It was no trouble to induce her to try this; but, at first, she insisted upon turning up the board without arranging the block in its place, and it took some scores of patient demonstrations to convince her that the block was necessary to the success of the trick. At length, she tried it and with but little difficulty succeeded in both manipulating the block and producing the nut; and having succeeded a few times, she persisted in doing the trick until it became monotonous to me to keep the supply of peanuts going; but she seemed not to tire of it. Although she

sometimes failed a dozen or more times in succession to make the peanut appear, she continued trying the operation until surfeited with peanuts or something better presented itself. She declined all offers of assistance from any one except myself and allowed no one else to touch the block or board. When not in use she usually sat on them or held them with her foot, evidently expecting to make use of them again.

This fact is worthy of notice, because, as a rule, all tropical animals, man included, are naturally improvident. The ease with which the means of life are obtained, no doubt, accounts for their lack of frugality; but in this instance, Misé certainly displayed a certain degree of concern for the future.

Having become familiar with the square figures, a circular block, two and a quarter inches in diameter, was added to the outfit. On first seeing it, she looked at it for a moment, turned it over, as if to see whether or not it would yield a peanut, but made no attempt to fit it into the board. She then ignored it, and proceeded placing the square one and finding the little prize. A little later, however, she was shown that, when the round block was turned in a certain way, it yielded a small piece of pineapple. She at once laid aside the squares and devoted herself to the round block, which, for a time, produced the morsel of fruit without the aid of a board. At length, however, the block alone ceased to yield its quota of fruit, and another board, having a round hole in it, was introduced. Without having to be shown, she promptly adjusted the block to its place, turned up the board and found the bit of pineapple. For about half an hour her attention was centred upon the new board and block. Suddenly she paused in her work and began looking about her as though trying to recall something to mind. Then she turned to the squares again and quickly found a peanut. After a few had been thus produced, I exchanged the square figures for the circles. She turned them only once, and, finding the pineapple instead of the peanut, she at once turned again to the squares and insisted upon having them.

Within a day or two she was as decided in choosing the block and board, preferred for the time being, as any human being could have been. No matter how she found them arranged, she promptly selected the ones that belonged together and obstinately clung to them. It was now quite obvious that in her mind the peanut was distinctly associated with the square figures and the

pineapple with the round ones. The selection of the block and board depended upon her choice at the time between the two articles of food; but the fact that she clearly distinguished the two geometrical figures was quite certain.

Having thus impressed upon the mind of Misé the two distinct forms described, so that she recognized them without confusion, I substituted a single board, having the two holes cut into it, for the two separate boards formerly used. The two blocks were placed within her reach and she was allowed to proceed without any suggestion to aid her. She selected the square block and fitted it into the board. The usual result of finding a peanut instantly followed, and she was permitted to do this as often and as rapidly as she chose. About half a pint of nuts was required for the occasion. A brief pause ensued and she exchanged blocks. She made no mistake in placing either of them.

The next day, I placed four round blocks and one square one in a pile near her. She instantly pushed the round blocks aside and took up the square one, which she at once put into use. When she had obtained enough peanuts to satisfy her, she again turned to the round ones and picked out the particular block which she had before been using. It was not difficult for me to distinguish this block from the others, partly by the grain of the wood and partly from its being slightly soiled from handling, but that she should observe these very faint marks of identity was quite unexpected.

That afternoon the three superfluous round blocks were removed and a triangular one placed in their stead. The three figures were stacked up, with the square at the bottom, the triangle on top and the circle between them. The new figure at once caught her attention, but certainly did not deceive her. She picked it up, examined it for a moment, placed it in front of her and then turned it up, as if to ascertain what manner of food it might produce, but she made no attempt to fit it into the board; and after one trial abandoned it and took up the square.

In due time, I showed her that, by proper manipulation, the new form would yield a moiety of igúma, a native preparation of the cassava. She tried her skill in turning the block and succeeded in obtaining the igúma. The first few trials were fruitful, and then followed a series of failures. A board, having a triangular hole in it, was given her, and, without hesitating, she adjusted

the block in its place. The result was what was expected; and the feat was several times repeated.

The following day a single board containing the three holes described, arranged in the same order as the three forms had been presented to her, was substituted for the separate boards. Without aid and with but little suasion she was induced to place the blocks as they belonged. An infinite number of minor experiments then ensued, which showed that her perception of the three described forms was clear and definite.

A lozenge or diamond-shaped block was next presented to Misé, and a small piece of plantain was used as a bait. The usual exercises of turning it up and finding the food were only kept up for a short time, when the board with a hole of lozenge shape was given her. She found some difficulty in fitting the block in its place, and, after using them for four days in succession, she made frequent mistakes in trying to adjust them. In the mean time, however, she made some improvement which indicated that her perception of the figure was growing clearer.

The lozenge block was then mixed with the others, and, while she seemed to be aware that it was a new form, she often confounded it with the square and occasionally with the triangle, but not once with the circle. It appeared that she was not quite able to carry the form in her mind, and it was only by actual comparison of the block with the holes that she was able to detect the difference in the forms.

At this juncture, I became aware that the lozenge was too nearly like the square and the triangle to be introduced until she had become more proficient in geometry; and I also felt that I was proceeding too rapidly with the experiments. Accordingly, I withdrew the lozenge for the time being, and also deferred submitting to her several other figures which I had prepared for her.

As a change of mental diet for Misé, I now began a series of experiments to test her color sense, and, I must say, I was somewhat surprised at the results. I have heard it repeatedly said that few, if any, of the lower animals have any definite perception of colors. Upon what ground this school of philosophers found the assertion I do not know, except that a certain anatomist once told me that the structure of their eyes indicated that most animals are color-blind. That all animals are not so the following experiments show.

From the pith of a palm rib I constructed three cubes, each two and a half inches square. One of these I stained with black ink, another with green aniline dye and the other was left its natural color, which is creamy white. The cubes were cleft in the middle and the two sections fitted together with dowels. In the centre of each cube a small cavity, about an inch square, was cut; and in these cavities the baits were placed. Due care was taken to put the same kind of bait in the same cube each time, in order to associate it in the mind of the animal with the same color, as formerly it became associated with a certain figure.

Misé was carefully shown how to open the cubes and was shown what each one contained. The cubes were then placed within her reach and she began her investigations by opening the black one, which contained a bit of igúma. She quickly disposed of that, and opened the green one. This contained a peanut. Having secured that, she opened the white one and found a bit of pineapple.

In this instance, she did not evince any special preference of color; and for a few subsequent experiments she appeared to be guided in her choice of a cube by convenience, rather than by predilection for a color; but, as the associations of bait and color became more fixed in her mind, it was obvious that she was deliberate in selecting a certain color.

Gradually, the number of cubes was increased to fifteen, being five of each color. There was no longer any reason to doubt that she could distinguish colors with as much precision as I could. No matter how the cubes were arranged, sometimes scattered on the ground all about her, at other times put into a basket and shaken up, or stacked up in the form of a rick, she selected the color that contained the kind of food that she preferred at the time, and was not a moment in doubt about it.

A single cube stained blue was added to the lot. It contained a small piece of plantain. The cube and bait had not been shown to her before placing it among the others. The purpose was to see whether or not she would observe the difference without aid; and her conduct on finding it showed that she did not mistake it for one of the original lot. She had opened three of the white cubes before she discovered the blue one. She immediately picked up the latter and examined it as though in doubt—which, I think, she really was. Then she opened it and devoured the bait, after which she opened the two remaining white ones.

In the next three experiments she left the blue cube until all the others had been opened, and in the fourth and fifth sittings she didn't open it at all.

Four more blue cubes were added; and, at the next experiment, she began by opening the five blue ones which were mixed indiscriminately with the others. Half a dozen times in succession she opened the five blue ones before touching the others, and in the last three or four of these trials she didn't open one of the green ones.

My red dye having been ruined by getting wet, I had no means of coloring a cube of that hue; but a series of improvised experiments with a native wild fruit called "ntonda," showed that she was not only able to perceive red, but quickly distinguished half a dozen shades of it with as much precision as a milliner could. This fruit presents different shades of red in different stages of ripeness; and both the gorilla and chimpanzee are very particular about the condition of it. Certainly no human eye can detect these shades of color so quickly or so accurately as those apes do.

During this same period, I had in progress several other experiments. I was presenting the same forms, as those described, in the form of solids and also in lines drawn in chalk. I had merely made a beginning in phonetics. The series of sounds I have to develop have been selected for me by experts in teaching deaf-mutes and masters of phonetics.

I regret to have to record the disappointing fact that Misé, although pampered, petted and trusted like a child, ran away into the forest one morning and all efforts to find her have so far been fruitless. Liberal rewards were offered for her and quite a number of native experts in woodcraft sought in vain for her. Her natural instincts asserted themselves, and she is now somewhere at large in the forest, which is almost as boundless as the sea.

I am glad, however, to report that I have since procured two other specimens which are now under training, and one of them gives fair promise of being as apt as Misé; and I shall see to it that this one will not carry the fruits of my labor into the bush to squander it in putting on airs among his rural kinsmen and posing as a college-bred chimpanzee. In the near future I hope to be able to give a good account of my present favorite pupil, whom I call "Mikado."

R. L. GARNER.

THE SCANDINAVIAN CRISIS.

BY H. L. BRAEKSTAD AND KARL STAAFF, MEMBER OF THE SWEDISH PARLIAMENT.

I.—NORWAY'S RIGHT TO INDEPENDENCE.

On June 7th the world was somewhat suddenly startled by the news that the Norwegian Parliament had unanimously decided to proclaim the dissolution of the Union with Sweden, and that in consequence King Oscar was deposed as King of Norway.

Thus the Union, which has been so little understood and so greatly misrepresented outside the borders of the two countries, came to an end. And looking back upon its history of ninety-one years, the wonder is that it has lasted so long. It was entered into at a time of stress and trouble, and as events have now only too well proved, it was a most unsatisfactory compact, especially as far as Norway was concerned. In Sweden and Norway alike, much has often been said on social and festive occasions about the great advantages and the many blessings of the Union, and the official and well-to-do classes seem persistently to have worked themselves up into the belief that it really has had such results, although no positive proof could be produced of their existence.

But what does the history of the last ninety years show us? During this period, an abnormally large amount of the time and energy of the nation has been expended in resistance to the continuous attempts of Sweden to extend the bonds of the Union, with the ultimate object, as we are now fully convinced, of obtaining complete supremacy over Norway, directly against the letter and the spirit of the Act of Union; and all this time and energy have been consumed to an incredible extent in the discussion and solution of questions to which it would never have been necessary to devote such labors if the Swedes had not interfered in Norwegian affairs, and, by their influence over the King, delayed the

passing of measures and reforms which the Norwegians, constitutionally, were fully justified in carrying out.

In a short article like the present it will not be possible to enter into the details of the many conflicts that have arisen between the two countries. It will suffice if I refer to the conflicts over the abolition of the Governor of Norway (1852-1873); over the Royal veto (1872-1884); over the bill for the national flag (1893-1898); and now, last of all, over the establishment of separate consuls for Norway (1892-1905). In view of these incidents, I venture to assert that historians and political writers, who may care to study the history of Norway since 1814, must come to the conclusion that measures and reforms passed in the most correct and constitutional manner by the National Assembly of Norway have been delayed and thwarted through undue influence exercised upon the King by his Swedish advisers, and by the aristocratic party, the so-called "*Storsvensker,*" in the Upper Chamber of the Swedish Parliament,—a state of affairs to which the Norwegians could not possibly submit indefinitely, particularly when it is remembered that the advisers in question were the representatives of an alien country.

According to the Act of Union, the political relations between the two countries were based upon *absolute equality,* but—to go back to the year 1814,—that was not the kind of Union which the Swedes wanted. One of their leading politicians at the time described it as "a Union to weep over." And, considering the great difference between the two countries, their institutions, the character and aspirations of the two peoples, it was no doubt unwise for them to unite under one king, who would have had to be more than human to be able to act as a constitutional sovereign for both countries. Thus the Swedish Constitution is founded upon the feudal system, while that of Norway is based upon the udal principle. The Swedish Constitution gives the King an absolute veto, the Norwegian only a suspensory one. In Sweden the King may dissolve the Parliament at his pleasure,—a power he does not possess in Norway. The Swedish Parliament consists of an Upper and a Lower Chamber, while the Norwegian is a one-chamber institution. Sweden has a very old-fashioned and limited franchise; in Norway they have now manhood suffrage. Sweden has an aristocracy; Norway has none.

The Union was most unfavorably received by the Swedish

governing classes in particular. The people had little or no idea of the real nature of the Union, and for a considerable time believed it to be an achievement of Swedish arms, while to the leading men of the country, who were better acquainted with its terms, it was a great disappointment. They had hoped to make Norway a province of Sweden, and they found they had entered into a Union in which both countries were to be equally independent.

But the Norwegians soon found that the so-called equality was not fully recognized by the Swedes, and that the latter were ever intent upon assuming the rôle of the predominant partner in the Union. Every demand by Norway for the recognition of her full rights as a free and independent kingdom came to be looked upon by the Swedes as "revolutionary," and as directed against the King and against the Union; and they were only too prone to exclaim that what the Norwegians have gradually succeeded in carrying through during the last ninety years was obtained only through "Swedish magnanimity and concessions." Moreover, according to the Act of Union, Norway had full right to an equal share in the conduct of foreign affairs that concerned Norway; but the policy of Sweden, ever since the time of the Union in 1814, has been to reserve the control of these affairs as much as possible to herself. As late as 1891, the Swedish Government maintained that Norway had no right to participate in the conduct of foreign affairs. There is, however, no paragraph in the Norwegian Constitution, or in the Act of Union, that authorized Sweden to assume the sole control, and Norway, time after time, firmly objected to legalize, by any new Act of Parliament, the pretension that the conduct of foreign affairs should be intrusted to Sweden.

Up to 1885, it was generally understood that the King might call upon a Swedish or a Norwegian Minister to assist him in the conduct of foreign affairs; but, as a matter of fact, the Swedish Foreign Minister had *always* been employed for this purpose. In 1885, however, Sweden, without consulting Norway, decided on a change in her Constitution, by which the conduct of foreign affairs passed entirely into the hands of the Swedes. The Council for the transaction of these affairs was made to consist of the Swedish Foreign Minister and two other members of the Swedish Government on behalf of Sweden, and of the Norwegian

Minister in attendance upon the King at Stockholm on behalf of Norway. This disproportion in the representation of the two countries in the Council was even admitted by the Swedish Government, and several negotiations took place subsequently with regard to giving Norway a greater share in the conduct of foreign affairs, but all without any result.

The particular question upon which the final breach has taken place was the establishment of separate consuls for Norway, which the Norwegians, after careful investigation, had found to be of vital interest to the free development of the shipping and commerce of the country.*

The negotiations between the two Governments in conection with this question had so far progressed satisfactorily that an agreement was arrived at in December, 1903; and the King had commissioned the Norwegian and Swedish Governments to proceed with the drafting of the regulations for the consular service, which were to be submitted to the Parliaments of the two countries for final acceptance. In November last, however, Mr. Boström, the Swedish Prime Minister, suddenly submitted to the Norwegian Government a number of new conditions, under which the Swedish Government was willing to agree to the establishment of separate consuls. According to these proposals, the Norwegian consuls were to be placed under the control of the Swedish Foreign Minister, who was also to have the power of dismissing or removing any Norwegian consul whose conduct he might not approve. This, as well as the other conditions contained in Mr. Boström's proposals, was, of course, altogether unacceptable to the Norwegians. According to the Norwegian Constitution, a Norwegian official can be dismissed or removed only by the Norwegian Crown. The Norwegians, moreover, considered that these new demands, put forward by the Swedish Prime Minister, were nothing less than a breach of faith with regard to the terms of the agreement arrived at two years before by both Governments, and approved and signed by the King. The negotiations, therefore, came to an end, and no other course remained for Norway but to proceed towards the attainment of her constitutional rights in her own way. On February 17th last, the Norwegian Storthing decided unanimously to refer the

* The tonnage of the Norwegian merchant fleet is more than double that of Sweden.

matter to a Special Committee, which was to consider what steps should be taken to promote the establishment of Norwegian consuls. This Committee decided that a bill should be immediately submitted to the Storthing for that purpose, and that the measure should come into force not later than April 1st, 1906. The bill was passed without a dissentient voice on May 23rd. It was generally expected that the King would sanction the bill and that the long controversy over the consular service would thus be finally settled. But on May 27th, in spite of the earnest entreaties of his Norwegian Ministers that he should sanction the bill, the King formally announced his refusal to do so. The Norwegian Ministers immediately resigned, but as the King was well aware that he would not be able to form a new Ministry prepared to take upon themselves the responsibility of countersigning his refusal to sanction the bill, he at once informed the Ministers that he could not accept their resignation. They, however, declined to withdraw it. No protocol of the proceedings was drawn up, as the Ministers refused to countersign it, and the rejection of the bill by the King was, therefore, constitutionally non-existent.

A few days afterwards, the Norwegian Government formally informed the Storthing of the King's refusal. Mr. Michelsen, the Prime Minister, read the minutes of the Council of State on May 27th, whereupon the Assembly unanimously agreed to refer it to the Special Committee. On June 7th the Storthing met to hear the final decision of the Government. The Prime Minister read a statement, signed by all the members of the Government, informing the Storthing that they had resigned in consequence of the King's refusal to sanction the consular law, that the King had declined to accept their resignation and that, as an alternative Government could not be formed, the Royal power ceased to be operative, and the Union with Sweden, based upon a King in common, was consequently dissolved. The policy involved in the position taken up by the King with regard to the sanction of the consular law was not, in the opinion of the Government, in conformity with the Norwegian Constitution; and, just as no Norwegian would be willing to assist in the formation of a new Government, prepared to take the responsibility for such a policy, the Ministers could not by remaining in office make themselves a party to it. They had informed the King of this, and they considered it their duty to lay down their office.

The President then submitted a resolution, that the Storthing should authorize the members of the resigning Ministry to exercise the authority vested in the King in accordance with the fundamental law of the Kingdom of Norway, with such modifications as are necessitated by the fact that the Union with Sweden under one King has been dissolved.

The resolution was unanimously adopted, and a provisional Government was thereupon formally installed. The Storthing at the same time agreed upon an address to the King, informing him of its decision, and assuring him that the Norwegian people's struggle and work for the complete independence of their country had not arisen from any animosity against the Royal House or the Swedish people, and, in testimony of this, soliciting His Majesty to allow a Prince of the Swedish Royal House to be elected King of Norway, the Prince being required to renounce his hereditary right to the Throne of Sweden.

The King, on receiving the news of the action of the Storthing at his Swedish capital, telegraphed to the Norwegian Prime Minister and to the President of the Storthing: "I have received the communication of the Council of State, and record a most decided protest against the method of action of the Government."

The Swedish Government met immediately and decided to summon an extraordinary session of the Swedish Parliament. At the time of writing, the extraordinary Riksdag has just assembled and elected a Special Committee to consider what steps should be taken by Sweden.

Probably never in ancient or modern history has such an important change in the political union between two countries been effected with less demonstration and bluster, and with a greater degree of unanimity, determination, self-control and order, than in the case of that effected by the action of the Norwegian Storthing on June 7th last.

This action has by several leading European newspapers been termed a "revolution." This is, of course, entirely incorrect and misleading. When you have a whole nation, from the highest to the lowest in the land, in perfect accord regarding the country's policy on a momentous question, where there is no need to resort to any act of violence in order to accomplish the people's will, and when there is not a vestige of disorder throughout the land, to call any act decided upon by the Government,

backed up by the whole nation, a "revolution" is nothing but a wilful or ignorant misuse of language. It may suit the purposes of the aristocratic party in Sweden to represent the action of Norway to the European public as "revolutionary." But what has actually happened? A bill providing for separate consuls has been passed unanimously by the Norwegian Parliament. According to the Constitution of the country, the King does not possess an absolute veto, but he has the right twice to refuse his sanction to any bill passed by the Storthing. It must, however, be borne in mind that, according to the fifth section of the Constitution, "the *King* cannot be blamed or accused. *The responsibility shall rest upon his Ministers.*" Consequently, the King has no constitutional or other right to refuse his sanction to a bill passed in a constitutional manner, unless he has a Ministry who will support and countersign his refusal, and thereby take the responsibility thereof on their own shoulders. On his accession to the throne of Norway, King Oscar took the following oath before the Storthing: "I promise and swear that I will govern the Kingdom of Norway in accordance with its Constitution and laws, so truly help me God and His holy word."

According to this, King Oscar is clearly bound to act as a constitutional King; and when he cannot find a Ministry to support and countersign his refusal to sanction a bill, he places himself—if he still persists in refusing his sanction—outside the pale of the Constitution and deposes himself as the King of Norway. And when his Ministers have resigned in consequence, and he cannot find a single Norwegian ready to undertake to form a Ministry that will support his action, the country must through its Parliament provide for the constitutional government of the country by appointing a new Ministry.

The Royal veto, according to the Norwegian Constitution, was not granted to the King that he might constitute himself a power above the Constitution and the expressed will of the nation.

What made the matter more serious, and even dangerous, in the eyes of the Norwegians, was the fact, now clearly brought to light, that it was mainly through the Swedish influence, which was brought to bear upon him, as on many previous occasions, that King Oscar, as King of Norway, refused his sanction to the Consular bill; and it would, therefore, have really meant that Norway was being governed from Sweden,—by the opinion of the

aristocratic party there, the known enemies of the free and democratic Constitution of Norway.

The correct term for the action of the Norwegian Storthing is rather a "revolt" against the attempts at Swedish supremacy and interference in Norwegian affairs. And now that the nation has given the Government its full confidence, we may rest assured that that confidence will be maintained. Those who have some idea of the character of the Norwegians will know that there will be no wavering or going back, and that the Norwegian people, from the Prime Minister to the humble farm-laborers, are prepared to sacrifice everything in order to uphold the honor and the independence of their country.

H. L. BRAEKSTAD.

II.—THE GROUNDS OF SWEDEN'S PROTEST.

THE Union between Sweden and Norway has, from the very beginning, labored under a contradiction between intention and execution. The intention was that Norway, in the Union, should be on an equality with Sweden in the Union. But this purpose was not entirely carried out. It fell short of realization chiefly with reference to the treatment of foreign affairs. Certain steps have been taken in the course of time to rectify this defect, but with little success. The foreign affairs of Norway were managed by a Swedish Minister responsible only to the Swedish Government. Only by degrees were the eyes of the Swedes opened, as at length they were during the nineties, to the untenable character of these conditions. Meanwhile, a large party had been formed in Norway, which had drawn up a plan for effecting the equality of the two countries, which stood in sharp contrast to the general view of things held in Sweden.

The Swedish reform programme, as it was developed by degrees, was to arrange for a common Minister of Foreign Affairs, a Swede or a Norwegian, who should be responsible to the Governments of both countries (the representatives themselves, or delegates chosen by the representatives). The Norwegian programme was to provide for a duplicate Foreign Ministry, whereby there should be a native of Norway as Minister of Foreign Affairs responsible to the Norwegian Storthing, and a native of Sweden as

Minister of Foreign Affairs responsible to the Swedish Riksdag. Each of these Ministers should thus manage the foreign affairs of his own country. Foreign affairs which concerned both countries should be jointly worked out and presented to the King in common. The difference between the two programmes will be seen to be this: the Swedish would maintain complete unity in the management of foreign affairs, whereas the Norwegian programme introduces the principle of dualism in the direction of foreign affairs. The duty of the common Foreign Minister would be to look after the interests of both countries. Each of the two Foreign Ministers would only have the interests of his own individual country at heart. Suppose they should differ and give the King different advice on the same matters? In that case, there would be no other way out of the difficulty than for the King personally to decide, either in accordance with the advice of one or the other Minister, or in conformity with some compromise between their discordant counsels. But such an arrangement would not be in accordance with the principles of the Constitution. The Minister whose advice is not followed cannot be blamed for the consequences. In this way, one of the countries might time after time see the advice of its Minister rejected without being able to do anything in the matter. The consequence must naturally be a great dissatisfaction in that country, and this dissatisfaction must be an influence directed against the Union itself. It is evident that the Swedish programme which requires the common Foreign Minister to consider the interests of both countries and makes him responsible to the representatives of both peoples, offers far greater certainty that each of the countries would exert its proper influence on the foreign administration.

Norway, however, has never, by any direct act, tried to have its programme carried out.

In the first place, the Norwegian programme was, for a long time, embraced by only one of the great Norwegian parties, the party of the "Left," while the party of the "Right" accepted the Swedish programme. In the second place, it is probable that the interpretation of the Constitution upon which Norway's claim was based was, perhaps, considered somewhat questionable. In the early nineties, the Norwegian Storthing took another course by trying to organize a Norwegian consular service. This attempt, however, was frustrated by the King's refusal to

sanction it. After a long ministerial crisis, a Union Committee was formed, consisting of representatives from both countries. This Committee, which was relied on to devise a method of settlement, was unable to reach unanimity in its conclusions, but divided into four sections, two Swedish and two Norwegian, each with a different programme; consequently, the work of the Committee was devoid of practical result.

So things went on till 1903, when a proposal was made by the Swedish Government to improve Norway's position. In January, 1902, the King, in a joint Council of State, at the instigation of the Swedish Foreign Minister, had resolved to submit the question of separate consular services to a joint committee of experts from both countries, to consider how an arrangement of separate consuls for each of the Kingdoms, diplomatic representatives being common, would work in practice. After the committee had come to a conclusion, negotiations were opened between the Norwegian and Swedish governments, which resulted in a preliminary agreement on March 24th, 1903. This agreement was to the effect that a settlement should be made on the following basis: First, separate consular services shall be established. The consuls of each Kingdom shall be placed under whichever department at home the country concerned will decide. Secondly, the relationship between the respective consuls and the Foreign Minister and embassies shall be arranged according to identical laws, which cannot be altered or suspended without the consent of the Executives of both Kingdoms. The Swedish negotiators added that they were fully aware and acknowledged that the position of the Foreign Ministers did not respond to Norway's just claims to equality in the Union. They had suggested the desirability of having this question taken up for discussion, but this had found no sympathy on the Norwegian side. They had, nevertheless, declared themselves ready, whenever a desire to that effect was uttered by Norway, to advise the King to propose to the Riksdag and the Storthing such alterations in the Riksakt as might give the King an opportunity to elect either a Swede or a Norwegian as Foreign Minister.

The Norwegian negotiators had replied that they, of course, agreed that the present state of the management of foreign affairs was not in conformity with Norway's lawful claim to equality in the Union. At the same time, they expressed the hope that the

question of a satisfactory arrangement of the management of foreign affairs might soon be taken up for negotiation between the two Kingdoms. The negotiations on the Norwegian side had been carried on in the belief that the question of a change in the aforesaid disadvantages should be left untouched. It had been, for the reason that the opinions as to the best manner of rectifying this matter were so divergent in the two countries that an agreement could not at that time be expected. In conclusion, it was emphasized on both sides that the identical laws should guarantee that the consuls should not transgress the proper bounds of their activity, and at the same time secure smooth collaboration between the Minister and the consular services of the two Kingdoms. It was at this last point that the whole attempt failed.

As soon as it became known that the Governments could not agree, a violent campaign began in the Norwegian press, especially directed against the Swedish Parliament and Prime Minister. The latter was accused of having broken his promises by not trying to realize what the preliminary agreements of March 24th contained. In February, 1905, it was officially declared that the negotiations had been broken off.

The taking up of the consular question and the preliminary agreement of March 24th had aroused great hopes among the friends of the Union in both countries. Concerning the result and the reasons for it, opinions differed much in Sweden. That the negotiations on the Swedish side had not been properly managed was admitted in many quarters, also that the Swedish demands in many respects were unreasonable. On the other hand, the charges against the Premier were considered excessive, even if it had to be acknowledged, judging from sundry indications, that his interest in the happy solution of the question had waned.

The Norwegians resolved now to take the matter into their own hands. According to Norwegian ideas—and on this point all Norwegians agreed—the consular question was a purely Norwegian concern, so that Norway could without the cooperation of Sweden organize a consular service of her own.

In the spring, the Crown Prince, who during the illness of King Oscar was made Regent, tried to bring up the Union question in all its bearings. He laid proposals before a joint Swedish and Norwegian Council of State, inviting them, on both sides, without bias in favor of already adopted views, immedi-

ately to open free and friendly negotiations for a new arrangement of the matters concerning the Union, which ought to be conducted on the basis of complete equality between the two Kingdoms. The Crown Prince said:

"The course which, I think, ought to be taken, and which may in my judgment lead to a solution of the difficulties, is as follows: Provide for a joint Foreign Minister, Swede or Norwegian, responsible to both Kingdoms, or to a joint institution; a separate consular service for each Kingdom, but so arranged that the consuls, in everything that concerns their relationship to foreign Powers, shall be placed under the direction and control of the Foreign Minister. If during the negotiations another way of arranging foreign affairs should be found, always retaining a unity in their management as an indispensable guarantee of the continuance of the Union, I hereby declare myself prepared to take the course proposed under my earnest consideration."

This last part of the Crown Prince's speech, which mentions "another way," refers to a proposal which had been made on previous occasions, and which in the Second Chamber of the Swedish Parliament seems to have been received with some sympathy. To meet the wishes of the Norwegians as far as possible, there had been thoughts of separating foreign affairs relating to one country from those relating to both, putting Swedish foreign matters into the hands of a Swedish Minister and intrusting Norwegian matters to a Norwegian, while common affairs should be dealt with by a Union Chancellor responsible to the representatives of both countries.

The Norwegian Government declined to accept the Crown Prince's proposal. A Special Committee, chosen by the Norwegian Storthing, was soon to report to the Storthing a bill for the establishment of a separate consular service. If the programme put forward by the Crown Prince happened to be based on the presupposition that the consular question should be set aside, Norway's agreement to such a proposal would be synonymous with the abandonment of the Norwegian people's unanimous demands that the right that belongs to Norway as a Sovereign State, and which is guaranteed by her Constitution should be at once carried into effect.

When the consular question had been solved, negotiations might take place, but only on two conditions: in the first place, the negotiations would have to embrace also the arrangement proposed on the Norwegian side providing for a separate foreign

administration for each of the two countries; and, in the second place, if the new negotiations should be fruitless, the countries should not fall back upon the *status quo,* but each should then be free to decide the future form of its national existence.

The Swedish Government stated that as the idea of further negotiations had been put aside by Norway, until a separate Norwegian consular service should have been organized, and as, furthermore, the conditions upon which Norway was willing to carry on fresh negotiations in the future were incompatible with the Union and the Riksakt, negotiations could not be started, with prospects of success, on the basis pronounced by the Crown Prince. The Crown Prince hereupon resolved that, as the Norwegian Government would not accede to a proposal of new negotiations concerning all the pending questions relating to the Union, he could do nothing but approve the pronouncement of his Ministers.

On May 18th the consular bill came up for a vote in one part of the Norwegian Storthing, and on May 24th in the other. Both parts unanimously adopted the bill. On May 27th the King, who had resumed the reins of Government, refused to sanction the bill as implying a change in the community of the consular service, which, in his opinion, could not be altered without a mutual agreement. All the ministers then sent in their resignations, which the King declined to accept.

On June 7th the revolution in Norway took place. The Norwegian Ministers entered the Storthing and announced their intention to send in their resignations. The Storthing then declared that the constitutional monarchy had ceased to officiate in Norway. It authorized the Ministers to conduct the Government, until further notice, in conformity with the Norwegian Constitution and laws, with the alterations which would be necessary after dissolution of the Union with Sweden.

That the Norwegian Storthing, in case of refusal of sanction, would appoint a provisional Government was something for which we were prepared, but it was thought that the matter would end there. It had been supposed that the reasoning would be about as follows: "The country must be governed by a constitutional Government (King and Ministers). If the King, now, in spite of all endeavors, cannot form a Cabinet, and as it is impossible to force any one against his will to become a Minister, the constitutional Government has ceased to exist. But, as the country cannot be

allowed to drift into anarchy, the Storthing must fill the gap in the Constitution. The Storthing must thus appoint a new Government of a provisional character." Had it ended there, the crisis, of course, would have been quite different from what it was. The Storthing then would not have deposed the King, but would have only provided a Government for the country so long as the King was unable to reign. The Storthing would not have totally broken, but simply *de facto* suspended, the Union with Sweden. An interregnum would have been formed, and it might even have been open to question whether this interregnum should be called revolutionary or not. If everything that is outside the Constitution is revolutionary, then such a condition of things might be called so too. But if only such acts as are intended to change the Constitution for the future deserve to be called revolutionary, then the measure taken would not have been revolutionary. It would only have been an emergency-expedient pending the coming of an opportunity to reenter lawful Government in one way or another. Such a reentrance into legal conditions would have been possible if both Swedes and Norwegians had proved sufficiently accommodating to speedily reorganize the Union on the basis of complete equality. In that way, it would have been also possible if the Storthing and Government had presented to the Swedish authorities a request for the dissolution of the Union in a lawful manner. As a complete surprise came the message that the Storthing had gone far beyond appointing a provisional Government; that it had deposed the King and declared the Union dissolved. The Norwegians have justified their course by the plea that, after the Swedish Government's refusal of the Norwegian proposal of admitting jointly, with the negotiations as to a new regulation of the Union, the right of dissolution, there did not seem to be any possibility of effecting an amicable separation from Sweden. Against this it may be claimed, however, that, after the King's refusal, the whole state of affairs was quite altered, and demands from the Norwegian Storthing and Government to have the Union dissolved would have had more strength and weight than the suggestion of the Storthing here before quoted.

The correct and best-founded explanation of the revolutionary resolution of the Storthing is this. During the whole existence of the Union, there have been groups and opinions in Norway which

have never looked upon it with good-will. Through the disagreements which have arisen, these parties have grown in strength and number; and even if one cannot regard "the Left" party in Norway as having been totally against the Union, it can justly be said that it has been indifferent and in a degree also inimical towards the Union. The disappointment regarding the consular question naturally fostered a disposition favorable to the plans against the Union. And so it all came to happen.

In its revolutionary action, Norway, it seems to me, has disregarded two great objects, which the small States, before all, ought to hold sacred. One is comity between the two peoples. If the idea of drawing the two nations to each other in a spirit of unity and fraternity is to assume real shape, then they should not proceed in such a brutal manner as that in which the Norwegian revolution was accomplished. The other object is the friendly association of peoples and nations. If one dreams of a great association of peoples—and there are many who dream thus in Norway—even, perhaps, of a "United States" of Europe—it is not the right way to realize such an aspiration, to begin by dissolving a Union of ninety years' standing between two small peoples, who truly need each other far more than Norway needs her consuls.

A few years pass swiftly in the lives of the nations. And that the Union could have been founded on the basis of complete equality within a very short time, once the principle had been duly recognized by the Swedish Government, is beyond all doubt, provided, however, that the Norwegians had agreed to the necessary community in the management of the foreign affairs, with some restrictions upon complete independence. All effective associations require always some restrictions upon complete independence. The great desire of far-seeing persons in both countries is, however, after what has happened, that the chasm between the two nations may not be irremediably widened. These two peoples are destined to live on the same peninsula. They must, therefore, in spite of all, try to remain friendly. It is to be expected that some time will pass full of coldness and bitterness; but should these feelings continue to an indefinite future in the hearts of the two nations, then their unhappy fate is sealed.

KARL STAAFF.

WORLD-POLITICS.

LONDON: ST. PETERSBURG: BERLIN: WASHINGTON.

LONDON, *July, 1905.*

WE in England felt, when the news of Mr. John Hay's death came, that America had lost her greatest Secretary of State, ourselves a friend whose stanchness was guaranteed by the perfection of his Americanism, and humanity a strong and laborious servant. The appeal that Mr. Roosevelt makes to the sentiments and opinions of England is, of course, wider and bolder than any that Mr. Hay made or could make. People who know nothing, and do not greatly care to know anything, about America are interested in Mr. Roosevelt and feel the attractiveness of his great, elemental personality. But for a right appreciation of Mr. Hay there were needed somewhat finer sensibilities and a more specialized knowledge; and these are not among the attributes of the masses in any country. The audience that Mr. Hay found in England was exclusively the best audience that England can provide, the most authoritative, the most experienced, the most capable of appraising him rightly as a man and a diplomatist. To have won as Mr. Hay completely won, not merely the esteem and admiration but also the affection of such a tribunal—a tribunal whose favorable judgments are not lightly given—cannot by any scale of international comparison be held a small achievement. The period of his Ambassadorship at the Court of St. James's was brief, a bare eighteen months; but it was long enough to make him known everywhere to London society and officialdom, and liked, more than liked, wherever he was known. The happy union in him of the virtuoso and the diplomat, the scholar and the man of affairs; the many-sidedness of his tastes, interests and experiences which made him, when he chose, a talker of such wide and entrancing compass; the singular sweetness of disposi-

tion that graced a character all strength and fire; his mellow and vivacious eloquence—all these qualities and gifts, as Mr. Choate would be the first to testify, made upon London an impression of peculiar distinction. That impression deepened with every year of his service as Secretary of State. To regard for the man was added a cordial and unstinted recognition of his merits as a statesman.

I do not at all exaggerate when I say that in English opinion Mr. Hay gave a new tone, a new breadth and a new character to American diplomacy; a new tone, by maintaining in his official intercourse with other Governments that scrupulous courtesy and sense of form which he observed in private life; a new breadth, by adding to the list of American interests questions, such as the Far-Eastern question, that had hitherto been supposed to lie beyond their scope; and a new character, by making his passion for international justice and fair-dealing the key-note of his policy.

Before Mr. Hay became Secretary of State, there were three main grounds on which American diplomacy used to be criticised. It used to be criticised for its narrowness, its entire absorption in purely American problems, and its indifference to the far greater issues of that outside world from which it affected to hold aloof. Secondly, the conduct of American diplomacy used to be criticised for its disregard of international decorum, and at times for its downright rudeness. Europe could never quite understand how so progressive a country as America could tolerate being represented in her dealings with foreign Governments by a man who behaved as Mr. Blaine behaved, or who wrote "shirt-sleeve" despatches, like Mr. Sherman, or who corresponded with another Power in the tone of an angry, hectoring lawyer, like Mr. Olney. Thirdly, it was a common reproach to American diplomats that they displayed too carelessly the huckstering spirit and that they seemed too insensible to the bigger view—a reproach, I take it, that had its origin in the nature of some of the claims submitted to the Geneva court of arbitration. All such criticisms, however, ceased directly Mr. Hay's policy and personality began to make themselves felt.

It very soon became evident, indeed, that Mr. Hay was a man to whom world-views came naturally, who neglected none of the formulas of diplomatic politeness and consideration, and

whose policy, so far from being petty, was inspired by a genuine humanitarianism not less than by an unswerving regard for American interests. Downing Street found it easy and delightful to negotiate with a man of Mr. Hay's stamp, and it is very possible that diplomacy reached its extreme height of straightforwardness, good sense, and mutual confidence when Mr. Hay and Lord Pauncefote or Sir Michael Herbert met together to discuss and settle the Isthmian Canal, the Alaskan and the Samoan questions. To have wiped three such intricate and contentious issues off the slate would be diplomatic monument enough for one man, even if it stood alone. But the removal of the last of the questions that for generations had kept England and America apart was far from exhausting Mr. Hay's achievements. In English opinion, his chief title to fame will rest on his expansion of the sphere of America's foreign activities. He permanently added the Far East to the list of American interests. He definitely committed his country to the maintenance of the open door in China.

Those are achievements, as England believes, not only important in themselves and now, but far more important for what must flow from them in the future. Mr. Hay, Englishmen assert, found America a world-power on the map and made her a world-power in consciousness, in mental horizon and in the sense of responsibility. They do not believe it will again be possible to revert to the days when America could avow her indifference to whatever the future might hold in store for China and the Far East; and they praise Mr. Hay for having accepted the consequences of the occupation of the Philippines with clear-eyed decisiveness, and for having at once set to work to formulate a conservative but far-reaching Chinese policy. With Chino-American relations, indeed, his name will be preeminently linked. I have heard it more than once declared by Englishmen that the only diplomat who came out of the Boxer troubles with credit was Mr. Hay. That was all the more remarkable as Mr. Hay had no personal knowledge of China, had nothing in the nature of an Asiatic Department to turn to, and was far worse off than his rival negotiators in the matter of "expert advice." Yet he beat them all, by bringing to bear on the problem a detached, unprejudiced and quick-moving mind; and it is well worth recalling, even at this date, how Mr. Hay stood out against the carnival

of executions with which Christendom proposed to appease its wounded dignity; how he opposed the imposition of an overwhelming indemnity, the razing of the Taku forts and the permanent occupation of any portion of Chinese territory; how steadily he set his face against every proposal that smacked of mere aggressiveness; and with what pertinacity and success he used his influence on the side of moderation, humanity and justice. On the whole, that was, perhaps, the most brilliant episode in a career that was full of memorable achievements. It showed precisely that union of practicality with imagination and sympathetic insight that made Mr. Hay so much more than a mere adroit bargainer—made him, in short, a true statesman.

It is believed by those Englishmen who have followed his career, or who met him in London when he was serving on the Alaska Boundary Commission, that Mr. Root, too, has the instincts and perceptions of real statesmanship. He starts in his new office with the heartiest good wishes and the complete confidence of the English governing classes. A decade ago, the advent of a new American Secretary of State meant for England a period of some anxiety. There is now no anxiety whatever. It is taken for granted that, in all that concerns the relations of the two countries, Mr. Root's policy will be Mr. Hay's. England wants no more than that.

A debate in the House of Commons, on Thursday, July 6th, raised one of the most serious questions that can confront a democracy—the question of the position, rights and remuneration of Government employees. The State is, of course, by far the largest employer of labor in the United Kingdom; and, apart from the Army and Navy, the Department of the State with the greatest staff of employees is the Post-office, which in England includes the telegraph services. For a good many years, the Post-office servants have been agitating for an increase of wages and an improvement in the conditions of their work; and, being a well-organized body and able to bring a certain amount of political pressure to bear, they have usually succeeded in getting what they wanted. About ten years ago, for instance, a Parliamentary Committee, appointed to investigate their grievances, increased their wages by $3,000,000 *per annum*. Five years later, another Committee granted further concessions; but, as the pressure was still maintained, Mr. Austen Chamberlain appointed in

1903—he was then Postmaster-General—a small Committee of five "to inquire into the scale of pay received by postmen, sorters and telegraphists, and to report whether, having regard to the conditions of their employment and to the rates current in other occupations, their remuneration is adequate." Instead, however, of acting up to the terms of its reference the Committee (known, after its chairman, as the "Bradford Committee") entirely neglected to compare the wages paid by the Post-office with those obtaining in other employments. In other words, they ignored the one point on which the taxpayer really desired information.

What the average Englishman wants to know is, are postal servants fairly paid, having regard to the pay for corresponding work in the open labor-market?

This question the Bradford Committee made no attempt to answer.

They contented themselves with making a variety of recommendations, which would cost the nation about $6,500,000; chiefly in increased wages. The Post-office employees, naturally enough, were jubilant over the Committee's Report; and last January sent a deputation to the Postmaster-General (Lord Stanley) to urge its immediate adoption. Lord Stanley, however, in a very straightforward and manly way, told them point-blank that he intended to pay no attention to the Report, which he regarded as inconclusive and incomplete, and that in any recommendations he might make he would be guided solely by the evidence tendered to the Committee. He then proceeded to outline to the deputation the improvements he was contemplating—improvements that would cost the State some $1,800,000 a year, as against $6,500,000 proposed by the Bradford Committee and $12,500,000 asked for by the employees themselves. The deputation did not pretend to be satisfied with the Postmaster-General's answer and threatened to make themselves heard from again.

Since January, this threat has been carried out with an effrontery rare, if not unique, in latter-day English .politics. There are 183,000 postal servants, and there are 670 members of the House of Commons. That gives an average of 270 Post-office employees to each seat. In some constituencies, they are said to hold the balance of power; in all they can be organized into a political force that is worth placating. Every M.P., accordingly,

and almost every candidate, has for the past six months been bombarded by letters and circulars, warning him of a determined opposition at the polls unless he votes for the adoption of the Bradford Committee's Report in its entirety. Lord Stanley, during the debate on July 6th, read out to the House an appeal which had been circulated among the Post-office employees for the purpose of bringing pressure on the House of Commons: "Two-thirds, at least, of one political party are in great fear of losing their seats. The swing of the pendulum is against them, and any Member who receives 40 or 50 such letters (*i.e.*, letters from Post-office employees in his constituency) will under present circumstances have to consider very seriously whether on this question he can afford to go into the wrong lobby." Lord Stanley hotly denounced such tactics as "nothing more or less than blackmail," and declared that both parties would have to work together in devising means "by which there should not be this continual blood-sucking on the part of their servants." Nevertheless, 205 Members went into the lobby against him, thus signifying their opinion that the recommendations of the Bradford Committee were entirely reasonable, and that a Department which makes a yearly profit of four or five million pounds ought to refund, say, a million and a half in increased wages to its employees. There is a section of the postal servants which demands that *all* the profits earned by the Department should go into the pockets of the employees, and I see no reason why they should think their goal unattainable under present conditions. Every time the Postal Estimates are discussed in the House, there is a prolonged attempt "to force the Government of the day, against its sober judgment, to spend the public money in raising the pay of its servants."

That is an ominous and disgusting fact, and no escape from its consequences seems possible unless all civil servants on the active list are disfranchised, or unless the conditions of their service, financial and otherwise, are regulated by a quasi-judicial body, independent of Parliament, and beyond the reach of electioneering pressure—a body that would resemble the conciliation and arbitration boards in the industrial world. To some such solution we may have to come. Otherwise, there is a very fair chance that the public employees, municipal as well as State, will gradually eat up the profits of their respective departments.

ST. PETERSBURG, *July, 1905.*

THE disaster at Tsushima which left Russia without a navy and thousands of families without sons, brothers and husbands, made no deep impression either on the fashionable circles of the capital or on the rulers of the Empire. Summer theatres were filled as usual, music-halls were crowded, and the leafy lanes and ornamental waters of the islands drew the usual number of visitors from the dusty streets of the metropolis. In a word, gaiety reigned in the city of the bureaucrats, whose sense of dignity eliminates vulgar emotion for national misfortunes. And, by way of keeping up the illusion, the official journal boldly denied the defeat. Like Philip of Spain, when informed of the destruction of his Armada, the Russian bureaucracy bore the loss with dignified equanimity, and silently made ready to offer up further myriads of lives between Harbin and Vladivostok. Food for cannon is plentiful in Muscovy: the peasants are lambs to obey and tigers to fight, and the patriotism of the Autocracy can bear philosophically the destruction of tens of thousands of mujiks. There are as good fish in the sea as ever came out of it, and ships and guns the Germans and French will readily supply so long as the peasant farmer has any substance or his fields produce wheat and rye. Why then end the war? Mobilization was accordingly carried on in secret, reservists were mustered in the dead of the night and officials informed the country that, Japan being on the eve of bankruptcy, it was meet and proper that the war should be continued with vigor until she suspended payments. The loss of prestige, the loss of money, the loss of human life seemed endurable enough. Nay, far more serious losses than these produced no more lasting impression on Russian officialdom than rain-drops falling on a duck's back. "Try, try, try again," were the only words of comfort uttered to the humiliated nation.

Very different was the effect of the naval disaster upon the Russian people. For it is their blood and money that have been squandered, and it is their future and the well-being of their children that are being recklessly gambled away. They accordingly stiffened their backs and called on the government to desist from further bloodshed. Their spokesmen pointed out that already bankruptcy stared the Autocracy in the face. The war debt is enormous: even if not further increased, it will swallow up the margin between the favorable balance of trade and the growing

service of the foreign loans—the margin which alone renders borrowing possible. And that total sum of indebtedness must of necessity be added to, and very sensibly. For, even if the nation could dispense with a formidable navy, it cannot but build some new battle-ships after the war, while the cost of guns and the expenses incidental to internal reform will absorb tremendous sums. This enormous outlay must be provided for out of the proceeds of fresh taxes or of new loans, whereas the economic condition of the population, impoverished by decades of heartless extortion, calls for a lightening, not an increase, of the crushing burdens. In a word, the economic and financial problems are arduous—almost insoluble, indeed, as things now stand: but, if the war be carried on, they will become veritable sphinx-questions, with ruin as the penalty of failure to answer them. The straits to which the Treasury is reduced are much worse than outsiders generally suspect, and the shifts to which it is tempted to resort give one a glimpse of the hopelessness of the situation. Proposals for mortgaging certain state railways have been entertained, if not accepted, by the Finance Minister; offers for the exploitation of Crown lands and forests are under consideration; while the mites earned by the poor people are surreptitiously appropriated by the authorities and spent—nay, squandered—in the ventures which are precarious from a financial point of view, and ethically reprehensible. The Russian people learned quite lately to its dismay that about twenty million dollars had been asked for and received by a certain M. Balashoff, a comrade of Bezobrazoff's, in order to work the Yalu concession in which Grand-Ducal capital was largely invested. And these twenty millions were, it is further alleged, taken, at Balashoff's express request, from the Savings-Bank and therefore represented the economies of the laboring class which ought to have been inviolable. For this flagrant breach of faith, which is by no means isolated, runs counter to the laws of the Empire and the interests of the Autocracy.

These facts, becoming known, thrilled the people with indignation, and lent force to their demand that the war be stopped. Their representatives assembled in Moscow, passed strong resolutions and asked to be received by the Tsar. At first this request was scouted as presumptuous. They were all misdemeanants, it was argued, having met in defiance of the Imperial commands, founded a newspaper which had to be confiscated, and adopted

resolutions hostile to the régime. Besides, they had no official status and were much too numerous. Other grounds were also adduced in favor of a refusal, but the shrewdest of the Tsar's advisers were for gracious compliance with the reasonable request; and this was finally decided upon. Prince Trubetskoy, the spokesman of the delegation, left no doubt in His Majesty's mind about the views and the feelings of the people. In the Prince's speech a spade was called a spade, and Imperial favorites were alluded to as "presumptive traitors"; "danger to the nation" and "ruin to the dynasty" were included among the contingencies of the near future and the consequences of the present policy, while the monarch was suasively, almost tearfully, adjured to save his people by convoking their elected representatives. The Tsar's reply is historical and—legendary. This remarkable dialogue between ruler and ruled, between the heaven-sent and the earth-born, sank deep in men's minds, was in fact an event more impressive and exceptional in the domestic affairs of the empire than the annihilation of the navy in its international existence. The condescension of the monarch was a landmark of itself, for it implied the recantation of the autocratic principles which he had hastily laid down on coming to the throne. And what his attitude suggested was amply confirmed by his discourse. The bold initiative and the frank words of his subjects called for and received his cordial thanks. He discerned their motives, he said, and appreciated them; he understood their demands and would concede them. His promise to summon a representative assembly would, therefore, be fulfilled in the spirit as well as the letter, and the sooner and wider this resolve of his was known the better for all concerned. The monarch and the nation must henceforth be one.

The country seemed saved from anarchy, and the danger of civil war was averted. Great, therefore, was the gratitude of his subjects to the Autocrat who had met them half-way. If the grandfather deserved the name of "Emancipator," they said, the grandson merited the title of "Preserver." Preserver of what? Of his own unbounded power and prerogative, answered the courtiers. For after every public utterance of the Monarch comes an official commentary, explaining, restricting, modifying the concessions made; just as after every liberal statute promulgated in the Empire ministerial circulars are issued limiting its scope and sometimes suspending its operation. It is the antidote of reaction

administered after the poison of liberalism. It was thus after each of the ukases or rescripts issued by Nicholas II, ever since the conflicts between himself and his people became acute. "The Tsar giveth, and his Minister taketh away," is the formula. And, in the present case, the statement emanating from the Ministry was peculiarly offensive. The Autocrat's will, it said, never changes: therefore he cannot concede to-day what he refused yesterday. He has never swerved from his express determination to maintain all his rights intact. Therefore, there can be no constitution, no parliamentary government and no such popular institution as the Zemstvos demand. The will of the Tsar is supreme. Nothing, consequently, was or could have been said by His Majesty incompatible with those principles. The newspapers which deny this and seek to lead the people astray must be gagged, and the nation must assimilate the doctrine that the Tsar is and must remain the sole ruler and his will the supreme law.

This "rectification" came like a wintry blast on a sultry day. It froze any warmth of feeling for the Tsar which had been preserved, amid difficulties and doubts, by the most loyal subjects in the world. But many refused to credit the explanations of the officials, which were set down as an afterthought. In truth, Nicholas II must have meant what he said, his words being too clear to admit of diverging constructions. He had yielded to the impulse of the hour. And now his friends were come to save the autocratic principle by compromising the person of the Autocrat. They effectually undermined his credit with his subjects, and now public faith in him is gone: how long he will be mechanically obeyed is a different and a more delicate question.

But the present, however, is no time for mere words, and it behooves the Tsar to act, reveal his policy and lead his people. This, too, he attempted—he or his friends—by secret mobilization, the clandestine roll-call of reservists at night, by awkward ill-advised efforts to raise money for the war. And it was here that his people joined issue with their sovereign. Such a wild outcry against further bloodshed was raised throughout the Empire that its weird echo must have been heard within the palace of Tsarskoe Selo. Peasants, soldiers, officers, journalists, priests, merchants, women, Ministers of State and courtiers indignantly or fervently asked for peace. Even the Tsar's personal friends, men like Prince Meshchersky, declared that the further wanton sacrifice of human

lives would be a crime against every high principle and every respectable interest. The "Russkia Vedomosti," the most moderate and influential journal in all Russia, wrote:

"After a whole series of defeats on land and the destruction of our fleet, which reveal the utter breakdown of our system of government, to persist further in waging war without the slightest chance of success would be an act of madness on which our bureaucracy will hardly venture after having vainly awaited victories which were to save us from domestic troubles."

Another of the Tsar's personal friends, Prince Ukhtomsky, who had always been for the war, gave utterance to mournful lamentations in "The Dawn":

"Without the light of reason, without a definite goal, without faith in to-morrow, we are drifting onwards encircled by phantoms and abysses. The very worst that could befall us has taken place: discrowned on the field of battle, we are as near to bankruptcy in our domestic affairs as in the balance-sheets of foreign politics. . . . Russia is on the eve of unparallelled convulsions. This truth should be proclaimed in loud and ever louder tones before it is too late."

The liberal Russian newspapers published caustic etchings of the men who run the Autocracy. They described the money-grabbers, like Bezobrazoff and Balashoff, who had wormed themselves into the confidence of the Tsar who seems inaccessible to honest men, and had launched Russia on a policy of fatal adventure in the Far East, for which the nation had paid over a milliard roubles before the war and another milliard down to the battle of Tsushima, or say one thousand million dollars. And the result? The loss of Russia's reputation as a Power to be trusted, the loss of her influence among the nations of the globe, the loss of hundreds of thousands of human lives, the impoverishment of scores of millions of men and women, and the enrichment of a few unscrupulous schemers who hide behind Majesty's purple robes. Whatever else may go on, that must cease, people said by way of comment. And this resolve was strengthened by the revelations then published about the doings of the greedy concession-hunters who still enjoy the confidence of the Autocrat.

Nicholas II had raised the dishonest scheme for concession on the Yalu river to the level of a grand national enterprise. He had had twenty million dollars taken from the Savings-Bank and presented to one of the carpetbaggers. And no questions have ever since been asked about the value received, nor the way in which the money was to be expended. "An enterprise of national

importance" it was officially termed, and all the rest was silence. It has been hushed up, like so many other deeds of darkness which will be recorded in Memoirs and Reminiscences trimmed with the embroidery of fiction after the fall of the Autocracy. Other startling disclosures appeared about the way in which the campaign against Japan was carried on, tending to show that the masses are being treated as mere weapons and recklessly shot at the enemy by the privileged few. The Viceroy Alexeieff, for instance, in whose veins the blood of the Romanoffs is believed to circulate, surreptitiously as it were, behaved throughout like an Oriental despot. Travelling in his train, which was a sumptuous palace on wheels, he caused all war traffic to stand still that he might sleep at night and not be disturbed by the shrill whistle of locomotives. In consequence of this precaution, reinforcements destined for the front had to be kept back until his "High Excellency" awoke from his slumbers, while the Japanese pushed unceasingly forward, winning battle after battle. Kuropatkin imitated Alexeieff, Grippenberg followed the example of Kuropatkin, and at last so many cars had been commandeered by the gallant inmates of these luxurious trains that mere officers and passengers had to travel in trucks. "I know cases," writes the "Novoye Vremya" correspondent, "when the authorities were face to face with this dilemma: ought they to convey the wives of certain officers or a number of wounded soldiers? and in two of these cases the preference was given to the ladies." Nay, the very cows of the generals shared the privileges of their august owners, and kept the traffic irregular. One cow hindered the movement of all trains for twelve hours, after which it was comfortably placed. Altogether, the rage for comfortable trains became so great and unreasonable that the generals left the railway line very unwillingly, and seldom without stronger pressure than the still small voice of duty.

In the navy, things were quite as bad. The material of which the ships were built lacked durability: the metal, the boilers, the machinery, were often of inferior quality, because tenders had been accepted less on their own merits than for the attractions which the firms offered. The highest bribe sometimes ensured the acceptance of the least desirable offer and exposed the future crew to needless dangers. Rojestvensky, just as he was about to steam from Libau, received from an express messenger an official warning from the Marine Ministry, informing him that in rough

seas the stability of the "Suvaroff," and other ships of the same type, was much less than it ought to be, and enjoining him to apply such remedies as might suggest themselves, without however allowing the secret to leak out. During the night of the Hull incident, when the windows were opened before the three-inch guns, the waves burst in, flooding men and cannon. In the "Orel," one of the guns got partly filled with water and burst when the next shot was fired. If, in the case of the navy, the interests of the nation had been consulted to the same extent as the comfort of the adventurers who were ruining the nation, the Russian armada would have made a much better show at Tsushima. Every trip of M. Bezobrazoff to the Far East cost $100,000. He distributed gratuities and loans to his partisans at Port Arthur amounting to a million dollars, while the military authorities there could not raise funds enough to complete the fortifications. And when the Viceroy gave a banquet—in honor of M. Bezobrazoff—a cruiser brought flowers from Japan for the entertainment.

Those are types of the personages, as we now know them, who monopolized the Tsar's confidence and the nation's money and blood. For them no luxury was too costly, no honor too great. Of the manhood which supplied the funds for the campaign and the food for the cannon, we discern admirable samples through the gray mist of official legend. Here is one. In Port Arthur, Joseph Trumpeldor of the 7th Company presented a report of himself in which the following passage occurred: "I have been wounded, and have now only one hand, but it is the right hand. As I should like to go on fighting together with my comrades, I have the honor to ask for a sabre and a revolver." That is the heroism by which empires are built and races ennobled. The regimental order of the day which held up this example for imitation commented upon it thus: "These words ought to be inscribed in letters of gold in the history of the regiment; more particularly because Trumpeldor is a Jew." The man's petition was granted, not however without difficulty. To promote a mere Jew to be a non-commissioned officer amounted to a breach of wholesome tradition. Ultimately, however, it was done; but the writer of the order deemed it necessary to apologize for this departure, in his official report. A man whose religious views differ from those of the Tsar, as Trumpeldor's differed, cannot wash out the stain even in his life-blood, while friendship with the Autocrat such as

was enjoyed by Alexeieff, Bezobrazoff and Balashoff, Kuropatkin and others, operates like charity covering a multitude of sins.

A campaign against Japan under these conditions is really, the press argued, a war of the Autocracy against the people and cannot be brooked. The mobilization ought, therefore, to cease; and, if the ruler will not discontinue it, the people should stop it. This spirit of independence grew; in some places it became a spirit of revolt; and, when the spark fell near Odessa, in Libau and elsewhere, the inflammable stuff caught fire, and internecine strife began. Brother rose up against brother, monarch against people. Blood flowed in the streets of Odessa, as it had flowed in the streets of Nakhichevan; public buildings and private houses were burned, reduced to ashes; the guns of the "Prince Potemkin" opened fire on the city; riots, massacres, free fights accompanied the welter of chaos. Even in England and the United States, as well as in France and Germany, the word "revolution" was at last pronounced in the meaning attached to it since 1789.

Americans and Britons assume that, so long as the troops are willing to use bullets and bayonets, a revolution in Russia is impossible. For the revolutionary centres are far apart, and can never be in close touch with each other, and the masses lack organization. Only if the troops fraternize with the population is there any real danger to the Autocrat. That view of the situation is, I submit, open to question. Even if it were quite certain that Nicholas II will never willingly share his power with his people, it would not follow that the only hope of constitutional government is in a revolt of the soldiery. The Russians themselves hold that a general rising of the peasants might be a much more terrible, but not less effective, means of accomplishing the needed change, but they do not desire it. The abdication of Nicholas II might lead to a maximum of reform with a minimum of national discomfort. Public opinion in the Tsardom—such public opinion as recent events have called into being—favors this last solution, but leaves its application to Fate. Nicholas II is no longer the Little Father of his people. What the ancient Hebrews termed the glory of Jahveh has departed from him. He seems stricken with psychical palsy. What he gives with one hand, he abstracts with the other; what he affirmed yesterday, he denies to-day; what might be a beneficent choice, he leaves until it becomes a baleful necessity. So long, therefore, as he reigns, bureaucracy and its

intolerable plagues will rule and ruin the nation, and for this reason public opinion hopes and prays for his abdication. It is he alone who refuses to conclude peace: he alone who rejects the demand for a constitution under which he would wield more real power than as nominal Autocrat, and it is he only who sacrifices the lives of his best subjects, in order to perpetuate a system of corruption and iniquity which only Russians would have borne with so patiently and so long. How then will order be evolved from chaos?

If the army prove faithful and Nicholas remain obstinate, the Zemstvos may possibly become enterprising enough to call upon the intelligent classes to give no assistance, and on the peasants to pay no taxes, to the Government of the Tsar. But, whatever turn affairs may take, it is obvious that the Russian people is in revolution, and that the Autocrat, as champion of a corrupt bureaucracy, is playing a losing game.

BERLIN, *July, 1905.*

WHAT are the real aims of Germany in foreign politics? With the professed object of returning an "effective" answer to this question, Mr. Arnold White, not long since, decided "to take off the gloves and write of things as they really are, not as they seem to be under the banal conventions of a jejune journalism."

The picture Mr. White draws of Germany would be heartrending if it were correct. He tells us that the food of the poorer classes is "not only unappetizing but abominable," that the working classes "herd like animals," that children "frequently commit suicide" owing to the tendency to "militarize everything," that the Army is drifting towards decadence and the Empire towards bankruptcy, that the bureaucrats are overbearing, the rich Jews insolent, and the aristocracy arrogant, that advanced thought is dying out, that the providence of the State is but a "pitiless travesty," and that the great bulk of the population is discontented. The authorities, he adds, represent Great Britain's hostility as the origin of all this mischief. Can Mr. White have fallen a victim to the "April fool" journalism of Germany? German writers cast dignity to the winds on the one day in the year when they are privileged to fool their readers. Foreign

journalists have succumbed more than once to this curious custom of travestying facts, and have telegraphed to the four corners of the earth the portentous announcements which regularly appear in the German press on April 1st.

It is, for instance, far from being the case that "the petty war in West Africa" has disorganized the Imperial finances, for the necessity of reforming those finances was recognized many years before the outbreak of the Herero and Hottentot revolts. The question is one not of bankruptcy, nor of inevitable deficits, but merely of reorganization. Numerous and abundant sources of revenue are still untapped in the German Empire. Neither tobacco nor spirits are as heavily taxed as they are, for instance, in Great Britain. Legacies are practically unburdened. The Imperial Secretary of the Treasury, when he introduces his Bill for the Reform of the Finances next autumn, will be at no loss to show that Germany is capable of sustaining the expenses of the Empire without any excessive straining of her resources. Some of the smaller States, it is true, have suffered keenly from the existing system of finance, and it is mainly in their interest that the pressure of taxation is to be differently distributed; but the larger States, with the exception of Saxony, are in a condition of enviable prosperity. No less than two-thirds of the national debt of Prussia is in the form of capital invested in railways and other profit-making concerns, which are paying large dividends and are lightening very materially the weight of taxation. As to the social legislation of the Empire, it is far from "crumbling to its doom," but is being systematically developed, and raised slowly but surely to higher standards of usefulness. So much is admitted even by the Social Democrats, who are unconsciously undergoing a process of transformation from a party of dogmatic revolutionaries into a political organization with very positive and practical ideas of reform. Loudly as the Social Democrats may rant, the fact remains that they are secretly proud of the degree of civilization achieved by the German Empire. Involuntarily they acknowledged this at the time of the Königsberg trial, when they dwelt furiously on the disgrace to the Empire, implied by the comparison of its legal conditions with those prevailing in Russia. Undoubtedly much misery exists in Germany, as it does in Great Britain and the United States, but the manner in which its rulers are grappling with the problems of poverty should be,

and is, a cause of emulation, and not of ignorant condemnation, to the administrators and publicists of other lands. Not misery, however, but increasing prosperity, leading to greater comfort and happiness, is the cardinal feature of an Empire where the Savings-Bank deposits of the working classes are accumulating at a more rapid rate even than in the United Kingdom.

Mr. White asserts that "the overbearing behavior of the military and of the bureaucrats" is "intolerable." To whom? The German people are vastly different from the British and American. They love freedom less than "order"—for "*Ordnung muss sein*"—and are filled with anything but hatred of the bureaucrats, who taken as a whole are a remarkably able and enlightened set of men. "Red tape" the bureaucrats, of course, waste in alarming quantities, though after a residence of ten years in the country I have come to the conclusion that they employ less of it than was formerly the case. They are, moreover, keenly sensitive to public opinion, to a decided expression of which they invariably defer. Of deep-rooted hatred of the "bureaucrats" there is no trace. Has Mr. White never made the acquaintance of that indignant German who left England after a sojourn of three months, because in all that time not a single policeman had troubled to inquire the object of his visit, the number of his dwelling, and the date of his birth? That man, who is a typical German, cherishes a profound contempt for England as a country where there is no Government, and no care is taken of the individual. As for the Army, it is, despite the admitted evils of militarism, which no one wishes to deny, still the pride of the nation. Universal military service cannot fairly be described as unpopular in Germany. It has conferred untold benefits, both of an educational and physical character on the people, who, while loving peace, glory in the constant readiness of their country for war.

But though the nation and its rulers are conscious of possessing in the Army an almost perfect instrument for defensive and offensive operations, they are wholly innocent of the crime of wanton aggression. The history of the German Empire in the last thirty-five years is a magnificent record of progress in the peaceful occupations of industry, science and internal consolidation.

Mr. White says that the Jews are "omnipotent" in Prussia and that the Jews want a war that will deflect the ambitions of the

Emperor from the German provinces of Austria. Are the Jews then military men? Despite the fearful power which, according to Mr. White, they wield in the councils of the Emperor, they have not yet succeeded in gaining admission for a solitary member of their race into the commissioned ranks of the German Army. In Austria matters bear a very different aspect. There the Jews are not excluded from the Army. Some of them—witness General Popper and General Schweitzer—have even risen to exalted rank. Anti-Semitism in Austria is of a religious rather than of an economic and political character. It is fomented mainly by the Clericals, and does not seriously damage the business prospects of the sons of Israel. To contend that the Austrian Germans, if incorporated with the German Empire, would destroy the omnipotence of Jewry is therefore erroneous, if for no other reason than that the Jews, so far from being omnipotent, are politically almost impotent in Germany. Even the great Banking Houses have been "baptized," and it is with the "baptized" houses that the State has its dealings.

As for the German ambition to "find an outlet on the shores of the Adriatic," it is to be met with, if at all, among the Pan-Germans, who really are not the "bloodthirsty" creatures they sometimes represent themselves to be. What they aim at, in the event of the break-up of the Dual Empire, is the association of its German provinces in a kind of federal union with the German Empire. But, so far as the German Government is concerned, that is a consummation by no means to be devoutly wished; for it must not be forgotten that the Austrian Germans are Roman Catholics and that the Roman Catholic element has already assumed formidable proportions in the political life of Germany. In the Reichstag the black-coated "Centrum" is the strongest party. If the forces of that party were to be recruited by the votes of millions of Austrians the religious equilibrium of Germany would be entirely upset, and the Hohenzollern Empire as a great Protestant Power would practically cease to exist. The Pan-Germans have endeavored to overcome this difficulty by suggesting that the Austrian provinces shall not be represented in the Reichstag, but shall be included in the military and tariff systems of Germany. But the Government would not approve even of this form of union, which would signify the definite abandonment of the rest of Austria to the Slavonic races. Hence it is that we find an

authoritative exponent of the views cherished by the Emperor William exclaiming in this month's "*Deutsche Revue*" that, if it should ever become necessary, Germany would fight, not to dismember, but to preserve the integrity of Austria.

The German Emperor has never harbored the design of attacking Holland. His closest advisers are convinced that aggressive action against the Netherlands would be not only criminal, but diametrically opposed to the best interests of Germany, which is too much embarrassed by her Poles, Danes, Alsatians, and Guelphs to cherish any longings for the inclusion within her borders of another five millions of irreconcilables. The aim of German policy is rather to convince the Dutch that Germany is desirous of protecting them and their colonies from the aggressive schemes of other lands. So far the Dutch have viewed the advances of Germany with suspicion, and have refused to enter into closer relations with their mighty neighbor even for postal purposes. The Pan-Germans hope ultimately to convert them to a more appreciative sense of the benefits to be derived from an alliance and a tariff union with the Empire; and there is small room for doubt that the propaganda enjoys the secret encouragement of the Government. But from a campaign of persuasion to one of force is a far cry.

The German Emperor, in the fifteen years of his reign, has at all events shown absolutely no symptoms of a desire to adopt buccaneering principles.

It was shown in a former communication to these columns that the Kaiser has watched with a sense of growing irritation the endeavors made by more than one foreign statesman to isolate Germany in the councils of Europe. That irritation has not yet developed into nervousness. Indeed in his latest oration to the world the German monarch expressly stated that he was determined that the bayonets and guns of his Army should never be employed in warfare so long as the honor of Germany remained unassailed. He had sworn a solemn oath, he added, that he would not strive to acquire the barren glory that results from wanton conquests. Upon that promise, which was made to the world, I am convinced the world may rely.

If the peace of Europe is endangered at all, the menace is due to the alarming growth, both in Great Britain and Germany, of the vice of national intolerance and rancor.

WASHINGTON, *July, 1905.*

THE month of July, 1905, will be marked in the records of our State Department by the decease of Secretary Hay and the accession of Secretary Root, as the month of August will be remembered as that in which the conference of the plenipotentiaries of Japan and Russia at Portsmouth, New Hampshire, bore witness to the success of an American President's interposition for the purpose of terminating a war in the Far East. The foreign diplomatists, who have watched at Washington Mr. Hay's conduct of our exterior relations, have had a view-point sufficiently detached to be good judges of his aims and his achievements, and for that reason it is probable that their contemporary verdict forecasts the judgment of the historian. They have been too close to one of the *foci* of international activities to make the mistake committed by some American daily newspapers, which have credited to the late Secretary some performances with which he had nothing to do, and they do not shut their eyes to the fact that the things which he actually accomplished fell considerably short of his hopes and his intentions. They know, for example, what some journalists seem disposed to overlook, that Mr. Hay was neither the first nor the second Secretary of State under the McKinley Administration, and that, being at the time the Ambassador of the United States at the Court of St. James's, he took no part in the framing of the protocol which stopped hostilities between the United States and Spain, or in negotiating subsequently at Paris the definite treaty of peace. When Mr. Hay assumed the headship of the State Department the Spanish War was a thing of the past. There was no lack, however, of important problems to solve. There was, for example, the Clayton-Bulwer Treaty, which, for half a century, had been apparently an insuperable impediment to the cutting of an interoceanic waterway through the American isthmus, because it seemed scarcely expedient or reasonable that the United States should construct at their own expense a canal, of the commercial or strategic advantages of which our country would be only a joint beneficiary. Mr. Hay's tenancy of the State Department will long be associated, in the American public mind, with the supersession of the Clayton-Bulwer Treaty by a convention which assured to us on the Isthmus benefits and privileges commensurate with the burdens and responsibilities which we assumed. The fact, however, will

not be lost sight of by the foreign diplomatists stationed at Washington that the existing substitute for the Clayton-Bulwer Treaty is not the document originally framed by Mr. Hay, for that the Senate refused to ratify. On the contrary, it is an instrument deliberately contrived to meet the objections advanced by certain influential Senators, and, therefore, it may be accurately described rather as an outcome of Senate criticism than as an embodiment of the compact to which Mr. Hay and Lord Pauncefote originally set their names. Nor are the representatives of France and other European Governments, or the agents of the British colony of Newfoundland, likely to forget that Mr. Hay failed to secure the Senate's sanction of reciprocity treaties, which had his own cordial approval. It must also be owned that Mr. Hay's exemplary desire to make his country a prime mover in the elimination of war, by committing it to a series of arbitration treaties, was not destined to know fruition because it encountered obstruction in the Senate. After all allowances, however, have been made by first-hand and impartial observers, for the considerable gap between what he strove to do and what he actually did, it will cheerfully be acknowledged that Mr. Hay's occupation of the Department of State under parts of two administrations was distinguished by three events which reasonably may be looked upon as landmarks in the history of American diplomacy. We refer to the creation of an intimate understanding between the United States and Great Britain, less definite, of course, but, perhaps, not less trustworthy and fruitful, than a formal treaty; to the enunciation of the far-reaching and epoch-making Roosevelt corollary to the Monroe Doctrine; and to the arraying of the physical power and moral influence of the United States on the side of the political independence and territorial integrity of the Chinese Empire. Whether we look at the startling novelty or momentous consequences of these State strokes, we cannot but testify that the author of them is qualified to challenge a place of eminence among the tenants of the State Department.

When Mr. Hay exchanged the embassy to the Court of St. James's for the office of Secretary of State,—an exchange which had not been made since it was made by James Buchanan—and began the *rapprochement* between the United States and Great Britain, which is justified by a community, not only of race, language and sentiment, but, above all, of interest, only about two

years had elapsed since Mr. Cleveland's Venezuela Message had given Englishmen a shock of indignation and disgust. It is hard for Americans, now that they are thoroughly awakened, on the one hand, to the sincerity of Venezuela's gratitude, and, on the other, to the value of England's cooperation in the Far East and elsewhere, to understand how it was possible for Mr. Cleveland's Message to evoke an impulsive, instantaneous, fervid, and almost unanimous chorus of approbation from citizens of the United States. The fact that, if a similar declaration were put forth to-day, with the same ostensible intention of plunging this country into war with England for the sake of compelling a submission to arbitration of a petty dispute concerning the boundary of a mongrel Latin-American commonwealth, would probably meet with a different reception, may be attributed to three causes: first, to the forbearance and magnanimity with which Lord Salisbury, rather than accept the responsibility for war with a kindred people, sacrificed his personal dignity and pride by assenting quickly to an arbitration which previously he had repelled; secondly, to the unstinted sympathy which Americans encountered in England during the recent war with Spain, and which, compared with the rancorous dislike exhibited to them at the time in Continental Europe, had the effect of an oasis in the desert; and, thirdly, to a recognition of the truth that, since events have compelled us to give hostages to fortune in Porto Rico, the Panama Canal strip, Hawaii, Guam and the Philippines, the friendship of the greatest naval Power on earth has become to us of very great importance, if not indispensable. It is to the abiding credit of Secretary Hay that these reasons for a reversal of our former attitude toward Great Britain swayed his mind and shaped his course from the moment that he assumed control of our State Department. What was a purely instinctive, and might possibly have been a fugitive, tendency became in his hands an avowed, a deliberate and probably an unchangeable policy—unchangeable, at all events, so long as the British people shall exhibit the appreciative and propitiatory spirit which was exemplified in the attitude of the British member of the Court which decided the Alaska Boundary controversy.

Mr. Hay's occupation of the State Department was indisputably contemporaneous with President Roosevelt's formulation and practical application of his new interpretation of the duty im-

posed by the Monroe Doctrine on the United States, as regards their relation to Latin-American republics. The Monroe Doctrine, as formerly construed, laid upon us an obligation toward the Latin-American commonwealths alone; it held us in no wise responsible for the delinquencies of which they might be guilty toward European Powers. That is to say, the Monroe Doctrine placed us in the anomalous and illogical position of the guardian of a minor, who protects his ward from being sued personally, but refuses to be sued in his place and stead. Mr. Roosevelt took the logical ground that if we say to European Powers, "You shall not enforce the liquidation even of just claims against a Latin-American debtor by the confiscation of the debtor's territory, or by any other measure calculated to affect the debtor's destiny," we must also hold ourselves accountable for the non-commission by our ward of acts that might be punished, and perhaps could only be effectually punished, by confiscation of territory, if committed by non-American nations. The announcement of this new conception of our international duty was made by Mr. Roosevelt soon after his perception of the possible irreconcilability with the Monroe Doctrine of the blockade of Venezuelan seaports by European creditor Powers, and the subsequent temporary sequestration of the customs revenues of La Guayra and Puerto Cabello for the benefit of the creditors concerned. He then announced the principle, and he has since applied it by agreeing to exercise, pending the ratification of a treaty to that effect with the Dominican Republic, the functions of collector and distributor of the customs revenues of Santo Domingo. Now, it can have escaped no close observer that Secretary Hay, personally, took no part in the defence of this novel graft upon the original Monroe Doctrine, which defence, on the contrary, was left to President Roosevelt himself and to Mr. Root, then Secretary of War. Neither are attentive readers of influential newspapers likely to have overlooked a letter of Secretary Hay's, which was posthumously printed in "The Sun," from which it is an unavoidable inference that the rejection by the United States Senate of the treaty authorizing our Government to collect and distribute the customs revenues of the Dominican Republic would have been witnessed by the writer without an atom of regret. We are justified, therefore, in assuming that the late Secretary of State tolerated, rather than originated, what has come to be

known as the Roosevelt Corollary to the Monroe Doctrine. He did not publicly protest against it; much less did he emphasize his remonstrance by a resignation of his office. It follows that, as history is written, the proclamation of a policy which may have for the New World momentous consequences is likely enough to be credited to Mr. Hay's administration of the State Department.

Whatever may have been Mr. Hay's personal relations to the new and discursive exposition of the Monroe Doctrine, there is no doubt that he merits all or most of the honor for the wise, unselfish and high-minded position taken by the United States with reference to China's future. When Chinese and other Oriental witnesses come to be heard at the bar of history, there can be no doubt as to the verdict that will be passed upon the monstrously inordinate pecuniary indemnity extorted by the allied Powers from the poverty-stricken Pekin Government for the so-called Boxer outrages, which, in the then anarchic condition of the Middle Kingdom, it was scarcely possible to prevent. There is, however, but little doubt that, but for the unprovoked and inexcusable attack of most of the allied fleet on the Pei-ho forts—an attack in which American war-vessels took no part—the troops at the disposal of the Pekin Government could have been relied upon to prevent the siege of the foreign legations. It will be remembered that our State Department gave no credit to the lying report which, telegraphed from Shanghai, gave a detailed account of the alleged capture of the legations and the massacre of their inmates. The discreet, circumspect and merciful conduct of the American contingent in the allied force that occupied Pekin presented an edifying contrast to the rapacity and brutality exhibited by the Russians and some other European participants in the expedition. So, too, the bill for damages submitted by Mr. Hay to the Pekin Government was a model of moderation and decency, compared with the shameless greed betrayed by most of the copartners in the allied demonstration. The same considerate and equitable spirit was displayed by our State Department with regard to the currency in which the indemnity was to be discharged, and to the other conditions of payment. Eventually, when Russia, which had seized the pretext of the Boxer outrages to occupy with her soldiers all three of the Manchurian provinces, showed plainly a disposition to keep them there for an indefinite period, Mr. Hay took the lead in demanding that the St. Peters-

burg Government should fix a date for the evacuation of Manchuria, and procured a more or less willing assent from all of the treaty Powers to the self-denying ordinance framed at Washington, whereby the signatories abjured any intention of impairing the political independence or mutilating the territorial integrity of the Chinese Empire. To appreciate the significance, and, we might add, the humor, of this covenant, we should recall what had been done only, so to speak, the day before, by some of the subscribers to the unwelcome compact—by Russia, for instance, which, under the guise of a lease, had wrenched from China the Liao-tung peninsula, and manifestly intended to keep possession of the whole of Manchuria; by Germany, which had seized the harbor and district of Kiao-Chao; by Great Britain, which had grasped Wei-hai-wei in the province of Shan-tung, and a strip of the Cantonese mainland opposite Hong-Kong; and by France, which had made encroachments on the frontier of Yun-nan. We alone asked for nothing; would accept nothing; and when China, in her hour of weakness, found herself begirt by despoilers, we stood forth her only friend. For our assumption of that magnificent, because just and magnanimous, position, the future compiler of our diplomatic history will have to thank Secretary Hay.

There is no reason to suppose that President Roosevelt or Mr. Root, the new Secretary of State, has the slightest desire to depart by a hair's breadth from the well-conceived and honor-conferring lines traced for our foreign policy by the late John Hay, so far as Great Britain and China are concerned. Under the future administration of the State Department, we may expect to witness a sincere, intelligent and an effective effort to cement a fruitful friendship with Great Britain, and to perform the laudable functions of a champion of equity in China. As for the Roosevelt Corollary to the Monroe Doctrine, Mr. Root has been, next to the President himself, its most conspicuous, authoritative and eloquent advocate, and we may therefore take for granted that he will make the best of it.

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is a Canadian by birth. He graduated, with classical honors, at Toronto University in 1884, was ordained deacon in 1886 and priest in 1887. In the latter year he became assistant minister of St. Paul's Cathedral in Buffalo. He occupied a similar position in the Church of St. John the Evangelist in Boston from 1888 till 1891, when he became associate rector of St. Stephen's, Boston. In 1901, he was elected by the General Convention Bishop of the Philippine Islands and consecrated in January, 1902. He is the author of a number of books, including "With God in the World," "The Consolations of the Cross," "With God in the Nation" and "With God in the Creed."

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who was admitted to the New York bar in 1904, was born in Springfield, Massachusetts. He passed from the public schools of his native city to Harvard University, where he graduated with the degree of A.B. *summa cum laude*. He studied for his chosen profession in the Harvard Law School, and at the same time registered in the Graduate School of Harvard University to pursue special work in Economics. During his college career, he was an editor of the "Harvard Monthly," and he was Ricardo Prize Scholar in Economics. In the course of his work in the Graduate School, he wrote a thesis which he subsequently expanded into a small volume entitled "The Rise and Progress of the Standard Oil Company," which was recently published by Messrs. Harper & Brothers. Mr. Montague was on the editorial staff of the "Harvard Law Review" and he has written occasional articles for legal, economic and literary periodicals.

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is a member of the bar of the Federal Courts, and of Massachusetts and Rhode Island. He is a native of Boston and a graduate of Brown University. He is the author of a "History of the Bank of England" and of a valuable pamphlet on "The Law of Money." He was appointed Honorary Imperial Chinese Consul at Boston in 1902, and promoted to be Consul in March of this year, before his three years' term as Vice-Consul expired.

Shelby M. Cullom,

Chairman of the Foreign Relations Committee in the United States Senate, was born in Wayne County, Kentucky. In his infancy, his family removed to Tazewell County, Illinois. After completing his academic education, he went to Springfield to study law in 1853, and since that time he has resided continuously in that city. For more than half a century he has been prominently identified with the political interests of his State. In 1852, he was a Presidential elector on the Fillmore ticket. He sat in the Illinois Legislature in 1856, 1860-61, 1872, 1873-74, and was Speaker in 1861 and 1873. He was a member of the national House of Representatives from 1865 to 1871, and Governor of Illinois from 1876 to 1883. He has been a member of the United States Senate since 1883.

Michael McDonnell

is a graduate of Cambridge University, where he was President of the Union. Since he left the University, he has been studying very closely Irish affairs, especially those connected with educational matters.

N. I. Stone,

after graduating from Columbia University, was appointed Statistician of the Bureau of Economic Research, which compiled, among others things, a new index-number of prices in the United States, subsequently published by the United States Industrial Commission. He resigned this position to take editorial charge of the department of Countries and Cities in the new "International Encyclopædia," recently issued, and he is now expert on foreign tariffs in the Bureau of Statistics, Department of Commerce and Labor. Mr. Stone has contributed a number of articles to some of the leading magazines. Among his scientific pro-

ductions are "A Critical Essay on the Agricultural Census of the United States," "A Study of Agricultural Statistics," "A Report on the Effect of Speculation on Prices of Wheat and Cotton" and a volume entitled "The Economic Resources of Siberia."

ROY STONE,

whose widely lamented death occurred but a few weeks ago, was born in Steuben County, New York. After graduating at Union College, he went to Pennsylvania to manage his father's estates in Sheffield and Warren Counties. On the outbreak of the Civil War, he entered the army as major in the First Pennsylvania Rifles. He became colonel of the 149th Pennsylvania Regiment, and he frequently commanded the brigade of which his regiment was a part. He was severely wounded at Gettysburg, and he was brevetted Brigadier-General by President Lincoln for gallant services. He served as Chief of Engineers on General Miles's staff during the war with Spain, and after the war he became greatly interested in Porto-Rican affairs and worked hard to assist in the development of the island.

LEWIS M. HAUPT

is an engineer of long experience. He began active work on the Hoosac Tunnel line in 1858. In 1863, he was appointed by President Lincoln to a cadetship at West Point, and he graduated at the Military Academy in 1867 in the Corps of United States Engineers, in which he served for two years. Having left the army for civil life, he filled the chair of Civil Engineering in the University of Pennsylvania for twenty years, during a portion of which time he was also in charge of the Geodetic Surveys of Pennsylvania under the Coast Survey. In 1892, he resigned his professorship and was appointed Canal-Commissioner of Pennsylvania. When the Nicaragua and Isthmian Canal Commission was appointed, Professor Haupt was nominated a member of that body. He has made the problem of improving deep-water channels by natural agencies his special study, and he has developed a system for the removal of ocean bars which has secured the highest endorsements of maritime experts and learned societies. He has written many monographs on social and economic topics, and is a

member of a number of scientific, engineering, literary, and other societies.

KATE GANNETT WELLS,

the well-known author, is a member of the Massachusetts State Board of Education. She has long been a favorite contributor to periodicals. Among her published works are "In the Clearings," "Miss Curtis," "About People," "Little Dick's Son" and "Two Modern Women."

CHARLES JOHNSTON

was born in Ballykilbeg, County Down, Ireland, in 1867, and educated at Trinity College, Dublin. For several years he was Assistant and, later, Deputy Magistrate, at Murshidabad, in Lower Bengal, and afterwards at Cuttack, in the District of Orissa. In 1891, he returned to England from India, and spent the subsequent four years on the Continent, travelling in Belgium, Holland, Germany, Russia, Austria and France. Since 1896, he has resided in the United States.

A VENEZUELAN CITIZEN.

The explanatory note prefixed by Mr. G. M. L. Brown to this gentleman's article contains all the information regarding him which, for obvious reasons, it is expedient to publish.

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AMERICAN DEMOCRACY IN THE ORIENT.

BY THE RT. REV. CHARLES H. BRENT, BISHOP OF THE PHILIPPINE ISLANDS.

Among the many articles which have appeared during the past year on the American régime in the Philippines, two call for special consideration, one because of the prestige of its author's name, the other by virtue of its intrinsic value: the former appeared in the "Contemporary Review" for September, 1904, under the title, "The Americans in the Philippines," and bears the signature of Mr. John Foreman: the latter, entitled "The United States in the Philippines," by Mr. Alleyne Ireland, came out two months later in "The Atlantic Monthly."

I.

Mr. Foreman is not unfamiliar with life in the Philippines, having been a resident there in Spanish days for a considerable period. He is the author of a book on the Philippines which contains a larger amount of miscellaneous information on the subject than any other work in the English language. He was invited to give evidence before the Peace Commission in Paris, and courteously complied with the request. But, whatever may have been his reputation hitherto for trustworthy and dispassionate statement, his production in the "Contemporary Review" strips

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him of the right to unquestioning credit at the hands of his readers. It is an unsparing attack on the whole American régime in the Philippines, contemptuous in tone, lurid with superlatives. So overloaded is it with falsity and extravagance that it will be possible to examine only comparatively few of its more glaring errors, which must be accepted as samples of the whole. Throughout, it is vitiated by misstatements of fact, rash generalizations and exaggeration, added to which are numerous indications that the author has fallen a victim to local gossip. Mr. Foreman is an open-eyed observer, but the production under consideration shows that his power of collection excels his power of selection: he does not seem to have learned that hearsay is not necessarily fact.

Let us examine some representative inaccuracies. In the earliest, he is his own accuser and out of his own mouth is judged and condemned. In itself the error is comparatively unimportant, but it occurs in his second paragraph and comes under the head of what he calls "a reiteration of some historical facts." He says (p. 392) that, in August, 1898, "every belligerent on the Spanish side in the Luzon provinces (and these belligerents numbered about 11,000) was a prisoner of the rebels." In his book (p. 620), he states that on August 13th, 1898, the date of the capitulation of Manila, 8,000 Spanish soldiers were prisoners in the hands of the revolutionary forces and 2,400 in the hands of the Americans.* The two statements are irreconcilable.

To what period does our writer refer when he says (p. 393): "For several weeks after the defeated army had embarked, and the last vestige of Spanish authority had disappeared from Luzon, Aguinaldo's army still occupied positions around the capital. A provisional Philippine Government was established at Malalos"? The last of the Spanish prisoners, including those captured from the insurgents after the outbreak of the insurrection, were not returned to Spain until the end of 1900. The insurrection broke loose on February 4th, a year earlier. Malalos, made provisional capital of Aguinaldo's government September 15th, 1898, was occupied by the Americans March 31st, 1899. The statement, as Mr. Foreman gives it, is, historically speaking, nonsense.

* He mentions also 2,600 in the hospital in Manila.

Once more, the writer says (p. 393):

"When the tenor of the Treaty signed in Paris on the 10th of December, 1898, became known in Manila, the news fell like a thunderbolt on the Filipinos. They opened their eyes to the fact that their new masters had come to remain. Their dream of independence forthwith vanished. Within a fortnight hostilities broke out between the ex-rebels of Spanish times (now the Independents) and the American volunteer forces."

The facts are that, though the Filipinos for some months had hopes of independence, from the first they were full of suspicion;* by degrees they learned that America was uncertain what her relation would be to the Islands, for, as Mr. Foreman says, "American authorities were constrained to remain neutral . . . whilst Spanish and American diplomatists in Paris decided the fate of the colony" (p. 393). As early as June 16th, 1898, the Secretary of State had officially declared that Aguinaldo's pretensions could not be countenanced by the United States; and, even if this did not reach the Filipinos formally, its substance came within their cognizance. If there were no fuller evidence to this effect, the fact that preparations for armed resistance were begun long before the treaty was signed is conclusive. This being the case, what a funny idea Mr. Foreman must have of the speed of a thunderbolt. It finds its running mate in his terminology indicative of time. He designates, for example, the period of fifty-five days, the actual time that elapsed between December 10th, the date of the Treaty of Paris, and February 4th, the date of the outbreak of hostilities, as a "fortnight" (p. 393). It is apt to interfere seriously with the function of history if poetic license is let loose in this manner on dates.

Should not a writer of historical facts be better informed than to confuse "capitulation" and "capture"? The latter, not the former, as our author seems to think (p. 393), is what happened to Aguinaldo. In the same paragraph, it is said that "since then every man in arms against American authority has been termed a brigand," whereas the truth is that organized revolt has been universally termed "insurrection" and its promoters "*insurrectos*"; "the formidable bands of highwaymen" (p. 395) always have been and are now called "*ladrones*."

The following is not a part of the historical "prelude," but

* Has our author read the second edition of his book? See pp. 623, 626, 627, 629.

it comes fittingly under the head of what Mr. Foreman calls "history":

"On the close of the war, a more settled era seemed to dawn. The first military government had been succeeded by the Schurmann [*sic*] Civil Commission, which practically effected nothing, and the second military government was superseded by the Taft Civil Commission" (p. 395).

What an extraordinary jumble! The suppression of the insurrection, for, presumably, that is what our author means by "war," was officially announced by the President July 4th, 1902. The only military government under American rule began nearly four years earlier at the occupation of Manila, on August 13th, 1898, and ceased on the date of the above-mentioned proclamation. The Schurman Commission had no executive and administrative functions, being merely a committee of investigation. Its members were sent by the President:

"To facilitate the most humane, pacific and effective extension of authority throughout these islands, and to secure, with the least possible delay, the benefits of a wise and generous protection of life and property to the inhabitants. . . . The Commissioners will endeavor, without interference with the military authorities of the United States now in control in the Philippines, to ascertain what amelioration in the condition of the inhabitants and what improvements in public order may be practicable."*

These instructions were issued (January 20th, 1899) before the outbreak of hostilities with the *insurrectos,* and the Commission "practically effected" all they were charged to do. They superseded neither the "first" nor any other "military government," and the military governor of the Philippines was a member of the Commission. It might be added that the legislative authority was transferred from military to civil power on September 1st, 1900,† and complete civil government proclaimed with the assumption of executive authority by the Philippine Commission, almost a year later (July 4th, 1901).‡

Indisputable statistics must answer the next extravagance to be quoted. "A constabulary force, several thousand strong, is employed to hunt down these marauders [formidable bands of highwaymen], but being almost entirely composed of Filipinos . . .

* Report of the Philippine Commission (1900), pp. 185, 186.
† Reports of the Philippine Commission (1900–1903), p. 6.
‡ Reports of the Philippine Commission (1900–1903), p. 140.

they frequently go over in groups to the brigands" (p. 395). From the organization of the Philippines Constabulary, August, 1901, to December, 1901—total enlisted strength, 741 men—there were no desertions.* In 1902, there were 33 desertions out of a force of 193 inspectors and 5,317 men.† In 1903, there were 80 desertions from a force of 330 officers and 6,805 men.‡ I can find no evidence justifying the above quotation.

In answer to an attack on the Board of Health, which must be characterized by the term "scurrilous" (p. 397), it will be sufficient to quote from Mr. Alleyne Ireland, who is a severe critic of American methods in the Philippines:

"No colonial government of which I have any knowledge is better served than that of the Philippine Islands in the matter of health; and the greatest credit is due to Major E. C. Carter, Commissioner of Public Health, and to his subordinates, for the admirable work they have carried out in the face of almost incredible difficulties placed in their way by the ingrained objection of the natives to all sanitary measures. . . . With the means at its disposal, the Public Health Department has done excellent work."

Mr. Foreman maintains (p. 399) that the "pilferings" of the Spanish officials were trifling "compared with the enormous defalcations which we hear of weekly under the present rule." Those who wish to know the extent of the "pilferings" of Spanish days can ascertain them without difficulty. They were such as to preclude the possibility of those "public works for which the Filipino has been clamoring for generations past—for instance, the construction of good country roads and bridges, the dredging of the port of Iloilo and the relaying of half the city and suburban pavements and roadways" (p. 399). The defalcations§ during the period of July 1st, 1902, to November 9th, 1903, amounted to $64,959.08 (the revenue for the same period being $19,916,845.96), and there were nineteen offenders. A lamentable showing, indeed! But Mr. Foreman must be expert in figures, not to say in hearing, to be able to hear "weekly" of these defalcations. The best he could do would be to hear of

* Report (1901), part 2, p. 550.
† Report (1902), part 1, pp. 80 ff.
‡ Report (1903), part 3, pp. 48 ff.
§ Two in Oct., one in Nov., one in Dec. (1902); two in Jan., two in April, one in May, three in June, one in July, two in Sept., one in Oct. (1903); the dates of three Filipino defaulters of small sums reimbursed before sentence are not given in the Report.

nineteen sixty-ninths of one per week. It would appear as though our writer, when he composed his article, had not seen any of the above figures, although they were easily available; and he was culpably ignorant of the system he was undertaking to criticise, or it would have been impossible for him to make the puerile suggestion that the "defalcations should be made good out of the United States treasury" (p. 399). Guarantee companies, or such bondsmen* as are accepted by the Philippine Government, make good the shortage of those who are bonded, as fiduciary agents of the Government are required to be. In a few cases, the defalcation has slightly exceeded the amount of the bond.

Prompt and unsparing judgment is meted out to offenders, more than 142 years' imprisonment being the aggregate penalties of the nineteen defaulters. The innuendo that the Constabulary is composed largely of embezzlers (pp. 396, 397) finds its refutation in the Report of the Philippine Commission (1903), Part I (pp. 65-70), which contains the record of defaulting officials. During the representative period noted above, there were six—too many by six for the honor of the Constabulary, but too few by many to justify the sentence that "the Philippine Constabulary ought to be either composed of white men warranted not to embezzle, or abolished."

The introduction of the Conant dollar draws from Mr. Foreman the following sentence of wonderment (p. 402): "How the Americans supposed the Mexican dollars were going to disappear from the colony, no one seems to be able to explain." The process was so simple that it hardly needs explanation. On April 3d, 1903, Congress passed the Philippine Currency Act, creating a local coinage. Debased currency was forthwith shipped to the United States, to be reminted into the new currency. Up to October 31st, 1904, from thirty to forty millions of Mexican silver was thus eliminated. The first Philippine *peso* passed into circulation July 23d, 1903. From October 23d, 1903, until January 1st, 1904, the old currency was receivable for public dues at a rate fixed from time to time by proclamation of the civil government. On January 1st, 1904, the Mexican *peso* was demonetized, and its further importation prohibited.† The process of change was pro-

* See Report of the Philippine Commission (1903), Part I., p. 65–70.

† The *peso* is at this date being received for redemption at a rate fixed from time to time by government in order to protect the interests of the poorer classes.

gressive, and a gold standard established within seventeen months, with a minimum disturbance in business circles.

A man writing on military questions ought to be posted on the common elements of martial law, and not express surprise at the existence of a secret service (which Mr. Foreman vilifies on page 394; again, as it is constituted under civil rule, on page 397), the necessity of a temporary curfew law (p. 395), the liability to imprisonment of non-belligerents who give aid to the enemy (p. 395). His attack on the *morale* of the American volunteer regiments (p. 393) may be offset by a quotation from Major G. I. Younghusband, of the Corps of Guides of the British Indian Army, whose judgment was formed not from gossip but from personal observation, as he was in Manila during the period under consideration, which Mr. Foreman was not. On page 108 of his book, "The Philippines and Round About," he says:

"The work of an army of occupation tries the undisciplined soldier very highly, and the work of keeping the machinery running becomes stupendous. Be this as it may, and speaking as an outside observer removed from the small worries of the 'inner' working, I feel bound to record the fact that a better behaved, more orderly set of men than these eighteen thousand volunteers could not be found in any captured city: true, the men went about in every description of clothing or lack of clothing, and were often dirty and unkempt, but, external appearances apart, their behavior and demeanor were excellent, and I had every opportunity for judging, for our lodging was in the very thick of them and possibly two or three thousand passed our window daily."

Mr. Foreman magnifies the occasional outrage or irregularity into the ordinary happening, when he says (pp. 393, 394): "Drunken brawls, indiscriminate revolver firing, indecent assaults on women, kicks and cuffs to any Filipino, burglary in broad daylight and thefts from shops and street venders were of hourly occurrence," etc. It may be worth while to draw attention to similar instances of exaggerated and excited language, picked out as the eye chances on them: "Americans fired haphazard at *everything moving*" (p. 395); "they arrested *anybody*" (p. 395); abuses committed by the "secret police are *innumerable*" (p. 397); "one has to be *extremely careful not to converse with a stranger* lest he should be a secret service spy" (p. 397); "*exorbitant* fines are imposed for the *most trivial* offences" (p. 397); "in Manila one lives in a *perfect labyrinth of vexatious regulations and ordinances*" (p. 397).

The march of events has answered, in the few months that have elapsed since he indited his article, several of his strictures—for example, the progress toward settlement of the friars' land perplexity, where delay has been due more to ecclesiastics than to government* (p. 396); the completion of the first section of the electric tram system to take the place of the "comfortable street carriages of Spanish times" (p. 397), and so release us from the tyranny of the "rickety gig" or the *carretela* of American times: and the railroad bill has put even the impoverished (p. 403) Manila & Dagupan Railroad (which voluntarily has extended its system since 1902) into the running for the new franchises. The superintendent of the road has recently made a statement in the public press to the effect that never under Spanish rule was the business over which he presides in such a flourishing and hopeful condition as to-day.

A categorical negative is the only reply necessary to such statements, to choose a few out of many, as "there is no security whatever for travellers in the provinces" (p. 395); "robbery, violence and murder are of daily occurrence outside the capital" (p. 395); the Commission "on rare occasions" only, and then merely "as a matter of form," give public hearings (p. 395); the Benguet road is being constructed "solely in order that the Civil Commission may enjoy the mountain breeze" p. 399); "the whole scheme [of official administration] is designed for American manufacturers to make fortunes" (p. 401)—there is something grotesque in this last complaint, in view of the overcautious guarding of Filipino interests that makes it next to impossible for Americans to get business foothold in the Islands.

A continuation of this detailed *exposé* would be wearisome. In the thirty paragraphs of the entire paper, there are but three not open to challenge. A mass of exaggerated statement and misleading innuendo remains, and its trustworthiness may be measured by the accuracy of those portions of the article already examined. Lying beneath misstatement, contemptuous expressions, sweeping generalizations and gossip, there are, here and there, truths and half-truths, for conditions are by no means ideal, and the course of government has not been free from grave

* As soon as the friars present proven titles the money is paid them by government according to the agreement consummated at the end of 1903.

blundering. But, under the circumstances, it is preferable to consider these as they come from a balanced critic: so we shall turn from Mr. Foreman to Mr. Alleyne Ireland.

II.

Mr. Ireland's work is of a very different type. He has carefully studied documents and figures, and, however much one may challenge his standpoint and disagree with his conclusions, his attitude is that of a truth-seeker and his criticism worthy of respect. Like Mr. Foreman, he is a British subject, and throughout handles his topic under the sway of the prevailing British ideas of colonial government.

(1) In the process of growth, we have reached the stage of oversea expansion. The question which arises is not whether we will shirk the responsibility involved, but whether we will accept it according to traditional ideas, or strike out on a reasonable though independent course in keeping with our own history and character. An independent course was taken, and, so far as we can judge at this early date, successfully taken, with Cuba. The fact of its being a few hundred miles instead of many thousands distant from the American continent is of no importance. Rather does it make our action all the more striking, precluding the imputation of selfish motives. The natural size of American territory is a presumptive argument against the wisdom of oversea expansion, and in one sense marks us apart from the universal experience. At any rate it leaves us free to act with a certain indifference to foreign possessions, and to experiment where another nation would bend to tradition. Moreover, we have come into our new inheritance at a moment when older countries for the first time in history are wide awake to their responsibility for the development of the full native capacity—in government, in morals, in industry. And if we have a larger hope for the political and intellectual growth of Oriental peoples than our seniors, it is due to our own vision of youth and to that which has come to us from our own experience. Naturally, this has a significance for an American that is lost on aliens. Throughout, Mr. Ireland assumes that a finality has been reached in colonial relations, the British situation representing the absolute standard. But it is, in the life of nations, only a brief space since the utilitarian Bentham advocated the abandonment of the colonies

as they contributed nothing but trouble to the home land. Since then, after varied fluctuations of opinion, Imperialism has assumed the throne, and the doctrine of mutual responsibilities between Great Britain and her dependencies is the popular doctrine. The spirit of the age is that of aggregation. This, however, in a country of vast expanse like America, does not forbid our dealing with the Philippines—if, after experimentation, results justify it—as we have dealt with Cuba, without laying us open to the charge of ignoring the universal experience. It simply marks a new stage in the working out of the responsibility of the stronger to the weaker.

(2) Though at first sight it seems practicable to consider the question of the Philippines apart from American politics, a little reflection shows that it is academic to fail to consider all the elements in a given situation. Facts are facts, and, in dealing with the relation of the Philippines as they are to the United States, you must deal with the relation of the United States as they are to the Philippines. To say that the Philippines must be handled apart from the national politics of America is the utterance of a doctrinaire. The Islands have become a part of American territory. Now, it is conceivable that a given State of the Union might be benefited by a course contradictory to the Federal Constitution, but it would mean disintegration of the whole were such a course permitted. The interests or professing interests of the whole are reflected on every part. This is of the essence of union—not that it results ideally, for various abuses find protection under the principle, and sectional are sometimes confounded with national interests. But national politics will always weigh heavily on every part of a nation, especially where the threads of union are as closely woven as in the American republic.

Take, by way of illustration, the case of India. Parliament holds in its hands final authority, though it uses that authority only when home interests are threatened by local legislation. That is to say, it makes India amenable to home politics. "The British public in the last resort," so says the most recent writer on the subject, "are masters of India." Thus it is that the cotton industry of India is hampered by legislation, in order to give Lancashire a market. It would be tremendously to the advantage of Indian producers to have a prohibitive tariff on English cotton goods, but English politics forbid it; what tariff there is,

is offset by a reciprocal tax on the indigenous product. Again, is it not home politics that unjustly throws the entire cost of maintaining the 58,880 British troops, as well as of the 203,114 native regulars* of the standing army of India, on that country, which is so poor that she cannot afford to suppress the opium traffic lest her exchequer be depleted by five million pounds sterling annually?† The army exists not merely to protect the *pax Britannica,* which is undoubtedly a boon to the native, but for the complex purposes of British Imperialism; and, were it not for the influence of home politics, a fair share of the annual expenditure of about £16,000,000 sterling would be lifted from the shoulders of overtaxed India.

These illustrations must suffice to confute the sweeping generalization that colonies should be governed "from the standpoint of colonial interests alone." The course is not one of ignoring home politics, it is rather one of adjustment and perspective, the equable consideration of all elements in their mutual relations. At present, home politics bear undue weight in Philippine affairs. Hence it is that, unless the free introduction of Philippine products would gravely menace the livelihood of American citizens, they ought to have a free, or at any rate a fair, market. Manila hemp is already on the free list; sugar and tobacco can be fearlessly treated in the same manner, with no more serious result than a slight reduction of dividends in wealthy corporations. A curious piece of consistency in legislation is the bill that applies the United States coastwise navigation laws to trade between the Philippines and America after July 1st, 1906—unless its enforcement can be postponed until 1909 (why not make it 2009?). Whatever it may do for shipping monopolies at home, it is bound to lay a new and cruel burden on the Philippines by virtue of advanced freight rates, rates being already all that can be borne. It will tend to throw trade into European markets wherever produce may be had at a cost equal to or less than American prices. I have already taken steps to make such imports as we require in the interests which I represent from England and elsewhere in Europe. It is curious that, in the twentieth

* April 1st, 1902. See Blue Book for 1904. By an act of Parliament in 1900 the Indian government was relieved annually of 257,500 pounds sterling which England assumes.

† See Sawtell, "Actual India," p. 77; also Decennial Report (1904, p. 171).

century, America should thus reproduce the English Navigation Act of 1651, an act born of short-sighted insularity, which from the beginning "not only occasioned sharp dissent, but in its enforcement encountered serious difficulty," so that in the end it accomplished nothing.

The extension to the Philippines of the Chinese Exclusion Act is given as another illustration of the dominance of home politics. But the question of the introduction of foreign labor is a vexatious one, and by no means as simple as our critic would make it. It is something more than the reflection in the East of American sentiment and political ideas. If we are seeking the development of the Philippines rather than that of the Filipino, there is nothing to do but acquiesce in Mr. Ireland's strictures. The Filipino at the present moment is lacking in skill, industry and aptitude. But experience shows that the unrestricted influx of Chinese coolies means the end, industrially, of all hope where the Malay is concerned. In the Straits Settlements the Chinese are encouraged by the British to come in as they choose, for the benefit of local British commerce. The result is that they already far outnumber the natives, who are left unencouraged in shiftlessness and indolence. To what extent do the Malays of the Federated States contribute to the *per capita* export of $44 quoted by our writer? (p. 583). Comparative statistics such as Mr. Ireland adduces are good things to juggle with. In their reduction to simplicity so many elements of importance are dropped out that they become as barren of meaning as most naked figures are when they have gone through the comparative mill.

But to return to the condition of the Malays of Singapore and its environments. They and the Filipinos belong to the same racial stock. But so far in advance of the former are the latter in civilization and intelligence, that it is hard to think of the two peoples as being blood-relatives.

Again, the introduction of Chinese labor means the extension among the Filipinos of Indian opium. The annual rental of the farm in the Straits Settlements is $5,580,000 (local currency)—$10 *per capita*, man, woman and child, in the entire population of a little over half a million. Declining the discussion as to whether opium can be used with impunity by Chinese, every one who has had any experience knows that, when the habit seizes the Malay, it will sweep through the community as fire through

jungle grass.* America, in conformity with her earliest traditions of Oriental diplomacy,† which is not in contradiction of but in accord with thinking Chinese and the whole Japanese nation, has passed a law, to come into force in 1908, prohibitive of opium in the Philippines, except for medicinal use. If the law is as effective in operation as it is in Japan, ultimately we may import Chinese labor with a minimum of risk.

It is only fair to myself to state that, in giving a balanced view of the difficulties involved in the admission of Chinese coolies, urging various arguments against it, I have not abandoned the conclusion that I have always held that, under proper regulations, limited immigration‡ (or immigration for a limited period under bond) would tend to tone up the whole industrial situation. To what extent the risk to morals would outweigh the industrial gain under present conditions, I am not prepared to state. The supply of native unskilled labor is unequal to the demand. In government works—as, for instance, the Benguet road—foreigners of any and every nationality available have had to be called in to bring the force of workmen up to its full strength.

(3) Mr. Ireland's *résumé* of the events leading immediately into the insurrection under Aguinaldo is in the main correct (pp. 578-581). Some side-lights thrown on the subject by original documents in the possession of the United States government illuminate and modify a portion of what he says. It is more than doubtful, for instance, whether Spain was under any obligation to initiate reforms according to the terms of the Treaty of Biac-na-Bató. There is no documentary evidence to this effect, though Aguinaldo at one time maintained there was, afterward, however, claiming that verbal promises had been made by the Governor-General, Primo de Rivera. Judging from the records, Aguinaldo was "bought off" by Spain, surrendering himself and his followers on the promise of a fixed sum of money (800,000 *pesos,* to be paid in three instalments), and leaving the Islands. On the occasion of a dispute arising among the members of the stock company formed to administer the moneys in Hong-Kong,

* In the Straits Settlements there is one law (a permissive one) for the Chinese and another (a prohibitive one) for the Malay—similarly also in Burmah. But in both countries the vice is making steady headway among the natives.

† See Foster's "American Diplomacy in the Orient."

‡ Such as Mr. Ireland indicates at the close of his paper, p. 593.

Aguinaldo and two companions took possession of such funds as they could legally carry off (one, Isabelo Artacho, having attached a considerable portion of them) and under assumed names left for other parts.* Upon the outbreak of the Spanish-American war he was found in Singapore, where the extraordinary negotiations between himself and the American Consul, recorded by Mr. Ireland, took place. Aguinaldo was loath to return to the Philippines, but sailed under the pressure of his fellow exiles, May 16th, 1898, for Manila on the U. S. S. "McCulloch." The Hong-Kong *junta* were not of one mind. Some advocated annexation to the United States, others independence. Aguinaldo, with the purpose of striking for independence when opportunity arose, but on the surface as Philippine representative of the *junta* charged merely with the organization of a pro-American revolution against Spanish sovereignty, landed in Cavite on May 19th. The sequel needs no repetition.

That there were defects in the conduct of affairs at this critical moment is true indeed, just as the same thing is true regarding the relation of England to American affairs prior to the Revolution, when, "in its political aspect it was little but a long succession of errors." This application of Mr. Ireland's words to that distant incident is not a cheap *tu quoque,* but a means of emphasizing the fact that human action, especially in its corporate aspect, is defective. *Respice* shows many things which *Prospice* could not see. The government was silent and gave no encouragement to Aguinaldo, whatever individual officials and irresponsible citizens may have done.

The question as to why America was so non-committal and uncertain regarding her course needs further explanation than that it was a political error. Why did we not at once play the rôle of conquerors? Why did certain persons coquette with Aguinaldo and give him and his fellow exiles any attention whatever? Tradition had long since set the mind of America. She had no ambition for oversea possessions; her temper, by virtue of her national experience, was peculiarly sensitive to the political rights of other peoples; the war she was engaged in was to secure freedom (including independence) for an oppressed country; the recent insurrection of the Filipinos against Spain indicated at least the

* Foreman in his book gives the Filipino interpretation of these events, pp. 566 ff.

possibility of their capacity for autonomy; and we were but little posted in the peculiarities of Oriental character. Taking these facts into consideration, it is only natural that America should shrink from assuming sovereign rights *ex animo* and from claiming possession according to the traditional laws of conquest. Men were jealous for their own national traditions, to say nothing of their fearing what was bound to be a thorny responsibility. The presumptive course in relation to a second Spanish colony falling by accident, as it were, into our hands would be to take steps for its autonomy also. America instituted measures to inform her ignorance; but, by the time the matter seemed clear, the foundling had become wayward. It was to ascertain what was wise and just that the Schurman Commission was appointed. Had the commissioners brought in a finding that, in their judgment, at an early date the Filipinos would be capable of setting up a republic, the same processes would have been set in operation as have become a part of history in Cuba. "No British, French or Dutch colonial governor in the Far East" (p. 581) could have given advice of sufficient value at this juncture to make it worth the asking. Unless my understanding of the colonial views of European nations is far astray (and I have gained what knowledge I possess from observation, from conversation with many viceregal authorities and commissioners throughout the Orient, as well as from a study of history and current reports), it starts with the assumption that the natives are and always will be incapable of complete self-government. Of course, by this is meant self-government in the Western sense.

In Egypt is perhaps the most advanced effort of England to develop an Oriental people. Some Americans of prominence hold it up as the model on which we should shape our Philippine administration. Undoubtedly, it is a fine piece of work, and has brought a country from bankruptcy to affluence in an incredibly short time. But a careful study of the history, methods and present temper of the English "occupation" of Egypt leads me to characterize it as a beneficent despotism. The *morale* of the people has been advanced only in a minute degree, and the prospect of an independent Egypt is further below the horizon than it was when Lord Milner wrote his book.

In India, during the last twenty-five years, additional facilities have been given to natives to rise in the civil service. This is

working out in such a way as to make high positions, especially in the judiciary, more and more open to Indians. But it is viewed with apprehension by some who fear that it will eventuate in the overthrow of British dominion in India. The whole policy of Great Britain to-day is more imperialistic than at any period in history. All the territory and influence possessed by England is being consolidated, an attitude which brings home politics to bear heavily on the remotest parts of the Empire, so that a keen critic and student of his country's colonial affairs says: "British rule tends to destroy native originality, vigor and initiative. How to replace that which our rule takes away is the greatest Indian problem."

My observation of Eastern colonial methods leads me to fix upon Japan's rule of Formosa, both in its moral flavor and in considerateness for and understanding of the people of the island, as being the most advanced of all. But there you have Orientals dealing with Orientals.

America was and is still uncertain whether or not the Filipino will ultimately rise sufficiently to be able to govern his own affairs without outside help. At any rate, she refuses to accept it as an axiom that Western nations must govern the tropics, partly on the ground that, until within fifty years, there has been no serious consideration of the native being educated to govern himself, and the nations most experienced in colonial matters have never gone further than holding the thought as a speculative idea;* that is to say, no deliberate plan for ultimate independence has ever been set in operation—unless the artificial Republic of Liberia be adduced, and that was the creation of American philanthropy, though some English were included among the group; and partly because her one recent, daring experiment, which was viewed sceptically by many eminent British thinkers, has roused surprise and admiration in the minds of men who began by regarding the scheme as visionary and Utopian.

For the same reason that America began her course with an

* According to the judgment of probably the most experienced colonial statesmen, there is no hope of the Oriental grasping our Western conception of government so as some day to graduate into democratic independence. The tropics must be rightly governed for the sake of the world, not to mention native interests; Western principles can alone accomplish this end, therefore tropical dependencies must be administered by Great Britain and other Western countries as a permanent trust. See Kidd's "Control of the Tropics."

over-scrupulous sympathy with possible political ideals in the Philippines, she is giving a prominence to-day to the political life of the natives which calls out the criticism that, "broadly speaking, the American policy in regard to the control and development of the Philippines is the exact opposite to that adopted by every other nation, in that political development has been taken as the standard of attainment instead of industrial development, in opposition to the universal experience of mankind, that the latter has always preceded the former" (p. 583). If "the universal experience of mankind" revealed that the former had always followed the latter, Mr. Ireland's argument would be more convincing. That we are not ignoring the industrial development of the natives any one who wishes to consult government reports can assure himself. But it is true that we are laying unwonted emphasis on political development and education in self-government, as our own national history, which is a part of "the universal experience of mankind," requires us to do. Our political life may be said to have begun before our industrial, so that we are simply true to our experience in instinctively turning our attention to the political concerns of our dependency as our foremost duty. It was because Great Britain gave too exclusive attention to her own commercial interests, and too little to the growing political character of her colonial child, that the cord that bound the Old World to the New was snapped asunder. To-day commercialism holds a high place in British colonies; but it is, to say the least, doubtful whether native industrial interests receive in relation to British commerce that measure of attention which equity demands. Because a recent Governor of Hong-Kong was markedly considerate of Chinese interests, he brought upon himself harsh criticisms from his compatriots in the colony. I say this, conscious that we have no right to assume that what is just for foreign industrial venture is necessarily detrimental to native interests, an assumption which it seems to me we are perilously near making in the Philippines. "The Philippines for the Filipinos" has all the limitations of an epigram.

It does not follow that, because natives when left to themselves do not evolve "popular" institutions, a democratic ideal will never recommend itself to them. That may come about through tuition and powerful influence (as, for example, constitutional government has risen in Japan) which would never grow of itself.

Whether or not, after many decades, the Filipinos will learn and become enamored of the principles of democracy, I cannot say, but the experiment of education in self-government is rational, as we are dealing with a people already partially Europeanized, who became our responsibility at a moment when there was stirring in them the first pulsations of self-conscious life.

(4) The cost of government in the Philippines is great—too great for the revenues, as has been recognized during the past year by the merging of two offices in one and various other retrenchments. A committee charged with the duty of reconstructing the details of government has just begun its work. It is expected that it will result in simplification and economy, a reform that is greatly needed. But it is not an opportune moment to measure the situation by Philippine exports, as our writer does. (The "total industrial product" is not synonymous with "exports," as he makes it, pp. 587, 588.) The Islands, even under infallible rule, could not have sufficiently recovered industrial equilibrium at so short a distance from war and pestilence to justify the kind of comparison Mr. Ireland institutes with old-established British colonies under stable and developed conditions.

III.

Mr. Ireland is right when he says: "When we attempt to force democratic institutions or corporate government upon tropical people, we simply assume, without any warrant whatever, that we know better than they do what form of government is best for them" (p. 585). One who has had a wide experience of the East, said to me a few days since: "Whether in the realm of things ecclesiastical or in that of politics, remember that the Oriental understands nothing that does not come from above, with the stamp of divine authority." The Oriental knows but one form of government, as a rule, and that is despotism. Whether he is capable of being taught the principles of democracy, as we understand them, is doubtful; but, with further experiment, the influence of Japan, with her highly developed constitutional government, and yet with that mystical element that inheres in her venerable dynasty abiding untouched, may do much to reconcile the despotic and the democratic. But to-day the one-man power is the only intelligible authority to the Oriental mind. The Filipinos have had their small stirrings toward democracy, but

the closer I examine the records of the insurrection, the more convinced I am that despotic rule of an ultra type would have ensued upon success. There was a day in the affairs of India when it was supposed that all that was needed for its salvation was instruction in the English language and the forcing down the native gullet of English ideas and customs. Cawnpore and a few other ungentle expressions of opinion have taught insularity that, though you can lead a horse to water, you cannot make him drink. He may even kick! It is conspicuous in the administration of Egypt, India and Burmah to-day that the native mind is being studied and the native genius considered. The same mistake has been made in the past by government which missionaries are constantly charged with. Westerners went to the East and tried to build up their own institutions without regard to the native bent, trampling on his traditions and sneering at his political creed. Both missionaries and representatives of government have come to their senses for the most part. They have learned that their function is not to destroy but to fulfil; that the first thing to do is to observe, to secure common standing-ground where sympathy may have free play, to avoid violent changes.

Now, in the Philippines I am afraid we have been retroactive in this respect. We have laid our system, with its refined features and fully clothed form, on the shoulders of the native before wholly understanding him. We are inclined to legislate too freely and too minutely; we are developing the dragon of red tape which the Viceroy of India is trying to slay; and, most serious of all, we are putting measures before men. Whatever criticism may be made of England's colonial system, no one can look without admiration and applause at the flower of manhood which graces her positions of trust. Their characters are *sans reproche,* their ability conspicuous, their devotion to work remarkable. They may rouse enmity as conquerors and aliens, but they command respect as being upright, efficient, just. Neither Lord Curzon nor Lord Cromer will allow an unworthy or an incompetent man to remain in office—indeed, they refuse mediocrity. We need fewer inefficient and mediocre men in the Philippines. It would be true economy to go short-handed, or to abolish some offices altogether, rather than retain a single man who is not up to an increasingly high standard. A little official head-hunting would be a wholesome thing in the Philippines. We cannot hope, how-

ever, to secure the finer type of men, unless the government can offer them a career. The spirit of adventure for the sake of the nation is not wanting in our youth, but they are unwilling to risk everything for what at best is a precarious future. A partial explanation of the defalcations which have taken place is that the offenders are tempted to gamble because of the unstable conditions under which they serve.

Again, it may be said that, with characteristic precipitateness, we have set about doing the work of creation in one day instead of six. We have been guilty of the one thing that the Oriental above all else hates—we have hurried him. He is bewildered by our bustle. He could stand two or even three sections of chaos being taken in hand; but, when the whole mass of disorder is pitched into the mill of order, it is more than he can bear. Our haste to set all things right at once has made us lose perspective, and lapse into extravagance; as a result, matters that demanded whole-souled attention have met with only half the energy required. It has been repeatedly pointed out that due respect has not been paid to the question of roads. The Commission meets the criticism by saying that (up to March, 1904), the sum of $2,081,000 (Mex.) and $672,188.24 (gold) has been appropriated for roads and bridges. But a traveller through the Islands sees but few *permanent* roads as the result of this expenditure. To take a single illustration, the once fine Spanish road running northward along the coast from Dagupan was in a state of ruin a year ago, without a single bridge as far as Salomague. It did not look as though it had been touched since Spanish days. One would have supposed that this would have been among the earliest pieces of work to receive attention. Trails have been kept open, but trails are not roads; and, owing to the heavy rains, they have to be practically reconstructed from year to year. It is only fair to say that the Philippines have problems of engineering of unusual difficulty, owing to the volcanic formation of the country, its susceptibility to earthquakes, and the ravages of the wet season. Delay in establishing a General Hospital cannot be excused on the score of a depleted exchequer. Moderation instead of inexplicable extravagance in the outlay for the Philippine exhibit at St. Louis* would have left sufficient margin for the purpose. The unanimous voice of the people and private munificence have been un-

* About $1,500,000.

able to move the Commission to action in a matter which so overshadows other native needs as to put all else that pertains to their physical welfare in a subsidiary position.

With this I shall desist from criticism. J. B. Dumas remarked:

> "The art of observation and that of experimentation are very distinct. In the first case, the fact may either proceed from logical reasons or be mere good fortune; it is sufficient to have some penetration and the sense of truth in order to profit by it. But the art of experimentation leads from the first to the last link of the chain, without hesitation and without a blank, making successive use of Reason, which suggests an alternative, and of Experience, which decides it, until, starting from a faint glimmer, the full blaze of light is reached."

This was said with special reference to the science of biology, but the principle is equally applicable to the science of government. A well-posted, honest observer viewing, say, Philippine affairs from the outside, cannot hope to rise above the grade of a theorist—I am not questioning the value of the academician; I am merely indicating his limitations. There is another and superior illumination which comes only to the worker. He is the experimentalist, and, though his danger is to be lost in detail, it is he who eventually solves the problem. Our work in the Philippines has begun with the right motive—that is to say, it starts at the top notch of colonial ideals, assuming the possible capacity of the natives under our training, at however distant a date, for complete self-government; and in its details of administration, in spite of what Mr. Ireland with his imperialistic conceptions would deem its eccentricities, it makes use in the main of the more advanced methods of British colonialism. Where there are mistakes, experience and experience alone can correct them. The system we have erected is not going to survive in all its pretty perfection; the facts of the situation will by degrees knock it into a less symmetrical but more useful shape. After our new-broom energy has lost some of its feverishness, we will move with less speed and greater sanity, bending our theories to experimental knowledge. With a growing understanding of Oriental thought and life, a fitness of method will appear which as yet is not conspicuous. The Commission is badly hampered, as Mr. Ireland points out, by its relation to Congress. There is no reason why a law enacted by the local authorities should not become operative *ipso facto*, and remain so unless or until rejected by the Secretary

of War. It would simplify machinery and allow the Governor-General and his associates to breathe freely. In essence, England is as true a republic as America, and there is no anomaly in our adopting a method which has been tried and found successful in the older country.

The unfolding days alone can declare what our control of the Philippines will accomplish for their people. We are laying at their disposal, in however blundering a way, the best we have—freedom in religion, I put this first as being the greatest; the benefits of science; the advantages of free education; the principles of self-government. We shall without question be called upon from time to time to modify, abandon, change, reconstruct—for such is the course of progress. We will not allow our leaders to remain ignorant, if ignorant they are, of the history of colonial development, though we afford a striking proof of the heredity of acquired characteristics, in that we are as open to the charge of knowing only about ourselves as Bishop Creighton said his countrymen were when he exclaimed: "The ignorance of the British public about any other history than its own is so great that no one ever writes in English about anything except England!" There is much that we could deliberately adopt from the British colonial experience, nothing that we can afford to ignore; and, if I have seemed to be over-critical of the British method, it is due to my desire to emphasize the fact that no absolute conclusion has been reached, and that we cannot be true to ourselves if we become mere imitators. We must go our own way, because we are what we are; we must be true to our own national genius, even at the cost of a maximum rather than a minimum of blundering. If we are at all successful in carrying events to a happy issue, as I have every confidence we shall be, especially if our very best young men are encouraged to take their places in Philippine affairs, we will perform something more than a small and obscure local task; we will add a new and instructive chapter to the history of colonies, we will lift to a higher level the conception of the responsibility to the weaker people of the stronger, and we will forge a link in the chain which one day will bind the East and West into an intelligent and sympathetic unity.

CHARLES H. BRENT.

JOHN HAY IN LITERATURE.

BY W. D. HOWELLS.

THE statesman whose death is so recent that our sense of him as a living force cannot yet accept the fact, may not at once find the place in our political history which his rare gifts and great qualities had been making secure for him. But John Hay's relation to our literature was already so definite before he died that one may venture to speak of it without the effect of undue haste, though one may not so much try to fix the terms of a final judgment of his work as to ascertain some of the reasons of his being poet, romancer and historian, such as he was, without being at his greatest either. He lived to be recognized as the ablest public man of his time, the inventor of a diplomacy that was sincere, courageous and generous, and it has seemed to me, in reviewing what he wrote, that he might have had an equal and a kindred fame in literature. For more than half his years one may fancy him standing at the parting of the ways, where he might have taken the path to preeminence in authorship, as finally he took the path to the supremacy in statesmanship which he really achieved. It is as if the choice was rather decided for him than made by him, so passive, so almost indifferent, was the attitude he kept in the eyes of the spectator. Before he entered public life as one of Lincoln's secretaries, he had given proof of his talent and his skill in his class poem at Brown University, where he received the academic training still exceptional with our literary men. To say it was a class poem is sufficiently to characterize it, perhaps; and to add that it was easily better than most class poems is not to praise it overmuch. There was the graceful handling of a familiar measure, and the easy mastery of the forms which a young writer's reading makes his second nature; but it was more than commonly representative of the poet's own

thinking and feeling. There was security of touch in it, though there was not yet the maturity which early characterized his prose, and which is present in such marked degree in his paper on Ellsworth, the young captain of Zouaves who fell in the first months of the Civil War.

It was with this paper that my own knowledge of Hay in literature had begun; but four or five years later, when American literature on the continental terms was ceasing to be New England literature, there came to me, as assistant editor of "The Atlantic Monthly," a paper from Madrid, written with a certain very instructed command of the facts, as well as with a literary charm which had the freshness of surprise. It was the first of the chapters which went afterwards to form the brilliant volume, "Castilian Days," and was the vivid study of "A Field Night in the Spanish Cortes"; but, authoritative and vivid as it was, it showed an inequality which is most marked in its difference from the second paper. In his study of the Cortes he is carried a little, or call it a good deal, beyond himself, by the dramatic picturesqueness of the material, which he feels so intensely; and there are reversions to younger modes and terms of expression; but, in the more analytical and descriptive sketches which rapidly followed, there are far fewer, and oftenest none, of these survivals of youthful ideal. For a writer still so young, he keeps himself astonishingly in hand; if he escapes the rein now and then, it is in the humor, which is largely an ironical wit, or an excessive sarcasm, with also a touch of something academic in the attitude. The prevalent note is that of a morality severe almost to austerity; it is all very democratic, very American, very Protestant; but the severity is not discordant with a lyrical pleasure in the beauty of the theme. Spain lives under his hand, and the book itself lives through its fidelity to the facts, and will always hold its high place among the three or four books by American hands in which the life of an alien people is rendered with unsurpassed intelligence. There are chapters, and when there are not chapters there are passages, of singular beauty, where the author allows himself to be a spectator, a charming commentator, who has no duty to his reader but to make him see the thing as it is. The range is very great, from the note of slight, transitory social phases to the study of important political aspects, which neither he who wrote, nor we who read, could then

have imagined equally transitory. It was the hour when the friends of Spain hoped for a Spanish Republic; and it is one of the most interesting offices of Hay's delightful work that it forms the historical record of this generous hope, now long extinct.

If I recur from it to his earlier monograph on Ellsworth, it is certainly not to praise it less, but to recognize more fully the worth of a personal tribute, which is also, however unconsciously, an inquiry in American conditions and passions at our most fateful hour. It is valuable for rare analysis and insight, and touching for the poetry which colors the figure of the young hero in the tints of the Tennysonian idyls then so fresh in youthful minds; while the darkness of the reality with which the writer dealt seems to have sobered his grief and made him anxious to render the likeness of his friend with a touch unshaken by emotion. It long preceded the Spanish papers in "The Atlantic Monthly," but another contribution still preceding these was that with which my editorial satisfaction in Hay's work began, and which seems to me peculiarly worthy of mention. The paper, which he called "The Mormon Prophet's Tragedy," relates to the assassination of Joseph Smith, and the expulsion of his followers from Nauvoo, which founded the Mormon rule so enduringly in Utah, and it is striking not only for the sort of self-restraint which the writer shows in the Ellsworth paper, but for the knowledge of the Western frontiersman, now obsolete. His character, in its wild burlesque, and in its picturesque ferocity, is caught with humorous intelligence; and, in the portrayal of real persons and events, the critical reader will find intimations of that sense of the grotesque which afterwards expressed itself in the "Pike County Ballads." It could have been written only by one directly familiar with the life and personally cognizant of the types, but with the instinct and culture enabling him to remain above them. Such a witness might have given us a picture of that bygone West which no other could portray with the requisite perception and imagination. Hay alone had the scope and penetration which would have sufficed for the large masterpiece still wanting among those faithful minor studies in which our literature abounds.

The Spanish studies were often journalistic in the actuality of their material, though so essentially artistic in form and manner; and, when Hay resigned his place at Madrid and returned to

America, it was presently to give himself very frankly and devotedly, if not fully, to journalism in New York. I doubt if he felt this a descent from the literary heights which some of us like to imagine overlooking the newspaper levels. He was in love with the looks of public life, as they changed from day to day; and he may have unconsciously turned to journalism as a form of poitical activity. He had much to say of that life,

"Its fluctuations and its vast concerns;"

and he must have been aware of saying it strongly and attractively, of being the contemporaneous historian which the journalist is at his best. He would have been the last to let any one else distinguish between his journalism and his literature. He knew well how nearly they were allied; and, if I pass over his criticisms of public tendencies and events, it is with no slight for his leading articles, or the leading articles of others. I can even imagine that he wrote them with greater zest than his sketches and poems. He was not only framed for that kind of work, but he found in it shelter from the irksome personal notoriety which attends the poet and the novelist. The impersonality of journalism was for him the disguise within which he could be most truly himself; but, when he was most truly himself, he must have felt himself at odds with his disguise, for he was primarily, if not finally, as much an artist as a polemist. It all ended, those splendid and useful labors, in broken health; and when he left New York and went to live in Cleveland, away from the work that had invalided him, there was a tacit expectation among those who valued him most for the inventive in him, that now he would give himself to "pure literature," as they would have called it, more arrogantly than he would have allowed, in distinction from journalism. He had already offered proofs of his gift in poetry, and if in fiction he was yet to do his most successful and notable work, it was with a shrinking from the implications in which he left it lastingly anonymous. I must not do more than guess at his authorship of "The Breadwinners," or do other than passingly touch upon its traits, since he never would own it. It dealt with the labor question in the old persuasion concerning united labor, and it cannot be found a modern criticism of economic conditions. But it has great merit in its characterizations, especially those picturesque and eccentric

embodiments of our life which seem always to have interested and amused Hay beyond others. The people in it apparently the most spontaneously and importantly treated are not the "gentlemen," but the non-gentlemen, not because they were more to the author's taste, but because they were more to his talent, and possibly more to his interest. The author, whether he was Hay or not, was like him in divining these as the more genuinely American, the more authentically Western, and what was always claiming Hay in his inventive work was the American and the Western. He felt it the material of the future, the stuff out of which a new manhood was to be fashioned into figures unseen before. I think the best things in "The Breadwinners" are the sketches of the local politicians, the leaders who can swing their wards; and, when the account is made up by the future literary historian, I believe the author, whoever he was, will be found to have first portrayed, if not first understood, the American Boss, made or in the making. Toward our crude potentialities, his genius involuntarily turned from our provisional gentility, bearing the image and superscription of Europe, ineffectively graven or faintly stamped. It was his instinct for the value of the primitive which enabled Hay to know the greatness of Lincoln, though he long stood so close to it.

The sense of the backwoods, the knowledge of the frontier, inspired the longing to realize it in such shapes as loom large and rude in the "Pike County Ballads." He gave the name of these ballads to the volume of verse which he printed; but there are only four of them, as the reader, I think, will realize with surprise. The impression they made and have left is out of proportion to their bulk, and I am afraid I should say in some moods, to their worth. In other moods I should say that their worth transcended even their large impression. They belong to the very few results in any of the arts which have been of absolutely Western cause. One cannot imagine an Englishman imagining them; one cannot imagine a New-Englander imagining them. Their heroes are as native as Hosea Biglow, or Birdofreedom Sawin, and they represent the West as these represent the East. It was contemporaneously supposed that the "Pike County Ballads" were inspired or provoked by the Pike County balladry of Bret Harte, and they were first accepted as imitations or parodies. I believe they were actually written earlier, but if they were

written later they were of a priority which any comparative study will reveal. They are of a wilder humor, and of a larger effect. I do not mean to undervalue Harte's work, when I say that it embodies persons, and Hay's suggests conditions—of course with an exaggeration agreeable to the make of the types showing in them. Their author is said to have said in later life that he wished people would forget them. This might have been in some moment when the sense of that which was involuntary, which was almost inevitable, in them did not so fully possess him. At any rate, they remain, and in verse they will as infallibly carry his fame as the "Biglow Papers" carry Lowell's. It is rather cheaply paradoxical to say that a spirit less delicate, less sensitive, than that of such a youth as Hay was would not have felt the wild allure of such types as Jim Bludso, Tilman Joy, and their like in "The Mystery of Gilgal" and the ballad of "Little Breeches." But without the background of the new country, where individual freedom counts for more than anywhere else, he might not have been able to show in such strong relief the social and political facts studied in such poems as "Sunrise in the Place de la Concorde," "The Sphinx of the Tuileries," "The Prayer of the Romans." He is not æsthetically more himself in these than in the "Pike County Ballads," which will outlast them; but he is more ethically himself. Many young poets of his day, of the same deeply Tennysonian reading, might have written a poem like "Guy of the Temple," and many did write the like, though few so well. But only such a poet as Hay, with his varying qualities, origins and traditions could have written the others, with their (now, perhaps, old-fashioned) American sympathy for all the oppressed.

In all his literary work Hay was prevalently a moralist. His book on Spain is, doubtless, the most constant witness to this fact. He can hardly see anything of that unmoral life without wishing to moralize it. His conscience is restlessly at work, and will not let him be till he has warned himself, mockingly or austerely, that he is not to enjoy this or that, without taking account of its spiritual, social or political nature, and is by no means to find pleasure in it because it is merely pretty or picturesque. I venture to think rather than to say that from the stress in which his tendency toward the æsthetical and his tendency toward the ethical were pitted against each other, he found no peaceful

issue, no entire reconciliation, except in "The History of Abraham Lincoln." There his sense of what is great in human nature, which can be ennobled only as it is self-ennobled, together with his love of what is poetic and heroic in the endeavor of a people toward light and right, is reconciled in the treatment of a vast theme claiming his highest powers as a lover of letters and a connoisseur of men. But, in any wish to analyze this great achievement, one is stayed by the difficulty, the impossibility in great part, of distinguishing his work from the work of his colaborer and friend, Nicolay. They were united in the preparatory studies; and, though they separately wrote chapters and episodes, they came together in the reciprocal criticism which was essentially joint authorship. Besides, the scheme of the present slight affair, so far as I have framed any, implies the consideration less of Hay's performances than of his tendencies, and of his tendencies as I witnessed them.

I saw him during that period of quiescence in Cleveland, when he was conjecturably choosing whether, with his ripened powers, he should be artist or diplomatist, or, rather, as it has sometimes seemed to me, which part he should let choose him. I do not believe he would have cared for the public honors which might have come to him by election to this office or that; but I do not assume to know that he would not. What I know is that he then spoke of a local movement to bring him forward for Congress, which he was strongly discouraging. He treated the notion with a sort of humorous reluctance, but he may at the same time have felt its temptation; and he intimated the like reluctance, but not so humorously, when President Hayes offered him the office of Assistant Secretary of State. In his retirement he was, perhaps, cherishing the hopes, if not the plans, of literary work; but of this I will not be so sure as of the sort of yielding which I fancied in him from the moment he mentioned the President's offer.

When we next met, three or four years later, in London, he told me of a piece of fiction he had done, and let me see some chapters, or perhaps the whole, of it. His mind had again turned in that direction, but, doubtless, always with a deeper and stronger pull towards public life. It was the moment when the novel, "Democracy," was making an appeal to English curiosity by its satire of political and social conditions in America, and more especially in Washington. Mr. Gladstone had read it, and talked

of it everywhere, and had set everybody else to reading it. No doubt it was often spoken of to Hay, who was anxious to have it believed he had not written it. His wish implied no criticism of it; only he had not written it; and the well-guarded secret of its authorship has long since ceased to involve his name.

Afterwards, in Washington, he was for many years exclusively employed with his work on "The History of Lincoln." But in this it was doubtless the political rather than the literary attraction which was stronger for him. He must have been glad to know that he was dealing with one of the most tremendous episodes in the life of the world, and that, in the very treatment of the subject, the what of it was infinitely paramount to the why of it. If this is true, it marks the moment in which the man of letters was finally subordinated in his distinctly dual nature to the man of affairs, of public affairs. We may fancy that, up to some such time, it had always been possible for him to turn again, and, if he would, be one of our first poets, one of our first novelists, one of our first essayists, as he certainly became one of our first historians. His relinquishment of any such ambition need not have been explicit, or even conscious; it would have effected itself, as such things do, without his intention.

His work on "The History of Lincoln" filled up the interval when he was out of public life, during three administrations; and it was, probably, a sacrifice when he returned to it, at President McKinley's strong urgence, as Ambassador to England. His service as Secretary of State was under our own sky, and in our own air, and John Hay, whatever he knew of the world elsewhere, or however it had interested his mind or amused his fancy, was very helplessly and inalienably American. He was American and he was Western by virtue of that very fineness of spirit, that delicacy of mind, that gentleness of heart, often imagined incompatible with our conditions. There was never in him any peevish revolt from these; he accepted them, as he accepted our heat and cold; they were the terms of our being worth while.

Something of this is evident in all he wrote. In the great history which he contributed to our literature; in the admirable study of a foreign life which he left; in the striking, if strikingly unequal, poems of which he always thought so modestly, he avouched his ability to have done what he wished in literature, if

only he had wished it enough. He showed in these the potentiality of a great popularity, when he turned from them for the other career which was not more than equally open to him. Yet he chose to do his greatest service to the public independently of the popular choice, and he, the most innately American of our statesmen, came to represent what was most European in the skill of the diplomacy which he practised. We shall all of us love always to think that the frankness, the honesty, the brave humanity which characterized it was the heart of Americanism in it. It was, at least, what we could so perfectly understand that, in any moment of hesitation concerning this or that fact of it, we could say to ourselves that it must be right because Hay did it. With those who were his contemporaries, there will always remain a regret that he did not take the popular way, so that he might have stood at his journey's end with the three or four of our Presidents who were also our greatest men.

W. D. Howells.

THE LEGEND OF THE STANDARD OIL COMPANY.

BY GILBERT HOLLAND MONTAGUE.

I.

No business organization, since the second United States Bank expired during President Jackson's second administration, has laid so firm a hold upon the public imagination as the Standard Oil Company. In the ferment of popular opinion regarding this company, sympathy for its weaker rivals who have succumbed to its competition, rumors of sharp practice circulated by its competitors, and prejudice against its conspicuously large aggregation of capital and ability have all so interpenetrated the facts of its career that a trustworthy history of the Standard Oil Company is to-day as well-nigh impossible as a true English biography of Napoleon Bonaparte would have been in 1803. A contemporary biography of Napoleon, notwithstanding its inaccuracy and unseasoned judgment, would nevertheless be valuable to-day as expressing a phase of the Napoleonic legend. By the same token, "The History of the Standard Oil Company,"* in which Miss Ida M. Tarbell has interestingly combined fact, rumor, common reputation and current fiction concerning the Standard Oil Company, is important as stating in popular version the present phase of the legend of the Standard Oil Company.

Before the organization, in 1870, of the Standard Oil Company, the refining business and oil traffic of Cleveland, Ohio, was in a precarious situation. To quote the general manager of the Lake Shore Railroad:

"It was publicly proclaimed in the public print in Oil City, Titusville and other places, that Cleveland was to be wiped out as a refining

* "The History of the Standard Oil Company," by Ida M. Tarbell: two volumes: McClure, Phillips & Co.: 1904. Except when otherwise indicated, the foot-notes of this article refer to volume and page of this book.

centre as with a sponge, and without exception the oil-refiners of Cleveland came to affiant as representative of transportation, and with a single exception expressed their fear that they would have either to abandon their business here or move to Titusville or other points in the oil region; the only exception to this decision was that offered by Rockefeller, Andrews & Flagler, who, on its assurance that the Lake Shore Railroad could and would handle oil as cheaply as the Pennsylvania Company, proposed to stand their ground at Cleveland and fight it out on that line."*

Accordingly, Mr. Rockefeller's firm was given a rebate. The reason for the rebate, which Miss Tarbell omits in her narrative, was that this firm guaranteed a regular quantity of monthly shipments; and a similar arrangement "was at all times open to any and all parties who would secure or guarantee a like amount of traffic."†

Shortly after the Standard Oil Company was organized, several refiners, not identified with the company, together with certain railway officials, proposed to the new company the plan of combining and securing from the railroads special rebates on their own shipments and drawbacks on those of other refiners.‡ In general outline, the contract proposed was similar to those subsequently made by the railroads with the grain-elevator owners in the Northwest and with the cattle-shippers of Chicago. Throughout the seventies and early eighties, it was the policy of the railroads to bind to themselves growing businesses in which, as in the elevator and refining industries, large capital and considerable enterprise were necessary to success, and, by granting to these concerns special rates, to build up trade for these businesses and traffic for themselves. By this form of personal discrimination, the railroads entering New York had built up traffic for themselves and business for A. T. Stewart during the years of his competition in the Middle West with Field, Leiter & Company, of Chicago. Wherever competition for traffic was keen, the railroads either contracted with the strongest group of shippers to carry freight at a special rate, or, as in the case of large cattle-shippers in Chicago, appointed the group to be the "evener": that is, required it to apportion traffic among the roads according to a fixed ratio in return for a special rebate and a drawback on

* Appendix Number 3: I, 277. † Appendix Number 3: I, 279.
‡ I, 55.

the entire traffic. Several officers of the Standard Oil Company accepted the plan proposed by the refiners and the railway officials and became stockholders in the South Improvement Company, which signed the "evening" contracts with the railroads. When the terms of these contracts were published, however, public opinion was so aroused that the contracts were cancelled before they became operative. The South Improvement Company was abandoned before it began to carry on any business.

The continuity between the plan of the South Improvement Company and the accomplished success of the Standard Oil Company, rests upon slender evidence. Upon comparing the recent charter of the Standard Oil Company of New Jersey with the broadly phrased powers of the South Improvement Company granted by the Pennsylvania legislature, in 1871, Miss Tarbell announces that the Standard Oil Company of to-day is essentially a realization of the abandoned plan of the South Improvement Company.* Neither charter contains powers greater than those commonly granted at the respective dates of their creation; and Miss Tarbell's naïve assumption that the charter provisions are an unexaggerated description of the actual corporate activities is amusing rather than misleading. The facts recorded by Miss Tarbell, moreover, show an abandonment of the plan of the South Improvement Company. Shortly after the rising in the oil regions against the South Improvement Company, Mr. Rockefeller proposed the formation of an oil company in which any refiner might become a stockholder, which should direct the operation of the refineries of the entire country.† A few months later, Mr. Rockefeller became president of the National Refiners' Association, which included four-fifths of the refining interests of the country, membership in which was open to the remaining fifth. Furthermore, when the Petroleum Producers' Union, which included the bitterest opponents of the South Improvement Company, was organized for the purpose of restricting the production of crude petroleum and raising the price of oil, Mr. Rockefeller's association was the only purchaser that paid the price asked by the Union.‡ A more complete departure from the exclusive organization attempted in the South Improvement Company could not be conceived. In fact, as Miss Tarbell herself admits, it was

* II, 266–267. † I, 106. ‡ I, 120.

only on condition of the abandonment of the plan of the South Improvement Company that Mr. J. J. Vandergrift, of Oil City, and Mr. John D. Archbold, of Titusville—men subsequently very prominent in the Standard Oil Company—at that time entered the National Refiners' Association.*

Conditions and principles of freight traffic, however, were not altered by the failure of the South Improvement Company. Very soon the large shippers, who could guarantee large and regular shipments and could threaten to ship by other routes, were granted rebates by the railroads. Upon whom must be laid the blame for renewing this practice, while the indignation against the South Improvement Company's contracts was still warm, it is impossible to tell. No one familiar with the forty years of long and painful effort by which the railroads have slowly freed themselves from this practice can imagine that a short local outbreak against the custom could have been sufficient to destroy it. Miss Tarbell declares, indeed, that oil rebates would have ceased in 1872 had not Mr. Rockefeller immediately revived them. But the first rebate that she records was granted scarcely two weeks subsequently to an opponent of the South Improvement Company, at the request of a member of the committee of independent refiners who had forced the cancellation of the South Improvement Company's contracts.† According to a statement of the rebates paid by the New York, Lake Erie & Western Railroad during 1873, upon which Miss Tarbell relies, $205,170.66 was paid to oil-shippers, of which this independent refiner received $188,127.78 and the Standard Oil Company received $469.11.‡ In a subsequent chapter, Miss Tarbell remarks upon Mr. Rockefeller's "lack of the sense of humor," as shown when he testified before the New York Senate Committee in 1888, "We have found repeated instances where other parties had secured more rates than we had."§ The lack of a quality more important than humor is shown in Miss Tarbell's disregard of the fact thus stated, contained in the very documents from which she quotes.

Between 1873 and 1877 railroad rates were affected by the organization of the pipe lines traversing the oil regions into five great systems. In 1874 a uniform schedule of charges was adopted by these systems. By the so-called "Rutter Circular," the freight

* I, 107. † I, 131. ‡ Appendix Number 20: I, 349. § II, 133.

rates upon the railroads were readjusted and a rebate of 22 cents was allowed on all oil coming from the pipe-line systems.* Under this tariff, the refineries at Cleveland, by reason of their advantageous location in a competitive centre of railroad and water transportation, obtained rates to distant points equal to those enjoyed in the oil regions, and the geographical advantage of the oil regions, which Miss Tarbell assumes should have been decisive, was disregarded.† Viewed from the standpoint of the railroads, the conditions of competition rendered such an arrangement inevitable. Doubtless the arrangement would have proved lasting, had not the accusation of the Erie Railroad against the Pennsylvania Railroad, that the latter was granting secret discrimination to its own system of pipe lines, the Empire Transportation Company, led in 1875 to a repudiation of the agreement. All the pipe lines of the oil regions promptly allied themselves with one or another of the pipe-line systems and their allied railroads. The Erie and the New York Central railroads, entering the oil regions by connections from the north, depended entirely for their traffic upon the Standard Oil Company at Cleveland. In exchange for the guaranty that their oil traffic would not be diminished, these railroads willingly granted to the Standard Oil Company liberal discriminations. The contest for the oil traffic was further aggravated by the entrance of the Baltimore & Ohio Railroad into Chicago and a consequent rate war among the trunk lines. Freight charges from Chicago to New York fell ninety per cent. The New York Central and the Erie railroads lost millions, and the Baltimore & Ohio and the Pennsylvania railroads ceased to pay dividends. The struggle in the oil regions became a mere skirmish in a battle extending half across the continent. The Standard Oil Company, with its well-organized pipe-line system and its firm alliance with the Erie and the New York Central railroads, eventually proved superior; and on October 17, 1877, the Pennsylvania Railroad was obliged to abandon the struggle and to sign a contract which made the Standard Oil Company the "evener" to apportion between the New York Central, the Erie, the Baltimore & Ohio and the Pennsylvania railroads practically the entire transportation of oil east of Chicago.‡

* I, 141. † I, 143.

‡ I, 186–195; see also "The Rise and Progress of the Standard Oil Company," by G. H. Montague: pp. 44–65, and references cited.

This chapter of railroad history, to which Miss Tarbell gives little prominence, contains the explanation of the present supremacy of the Standard Oil Company. After the National Refiners' Association had disbanded and before the contest between the railroads had begun, Mr. Rockefeller, in 1875, had organized and become president of another organization of refiners, called the Central Association. The membership of this association was apparently unlimited and the chief requirement was that each member, in exchange for stock in the Standard Oil Company, should lease his refinery to the association for a term of months.* In the rate war among the railroads, the Central Association occupied the enormously strategic position of controlling nine-tenths of the refining business of the country.† The dominance thus gained over the transportation situation firmly established the Standard Oil Company in its present supreme position.

Conditions of inevitable recurrence in the development of the oil-fields, which on several occasions have aroused the bitterest resentment against the Standard Oil Company, are well illustrated in the exploitation of the Bradford field in 1878. The analogy between the recent situation in Kansas and the outbreak over the "immediate shipment" rule in 1878 is so striking that Miss Tarbell's account of the crisis in the Bradford field is noteworthy.‡ Under ordinary conditions, the producer was allowed to run his oil into the United Pipe Line Company's pipes, and upon paying storage charges to keep it there for as long a time as he wished. During the year 1877, however, the daily output of oil increased from 2,000 to 8,451 barrels, and during the next six months of 1878 the daily output rose to over 18,000 barrels. The burden of taking care of this enormous increase fell upon the United Pipe Line Company. "One of the greatest construction feats the country has ever seen was put through in the years 1878, 1879 and 1880 in the Bradford oil-field by the Standard interests," says Miss Tarbell. "It was a wonderful illustration of the surpassing intelligence, energy and courage with which the Standard Oil Company attacks its problems." At the close of 1877 there was slightly more than two hundred thousand barrels of tankage in the Bradford field. By April, 1878, the tankage was increased to 1,152,028 barrels, and in November of that year 4,576,500 barrels

* I, 148. † I, 152. ‡ 1, 215–220.

of tankage were up and building. In spite of these tremendous exertions of the United Pipe Line Company, the transportation facilities were inadequate. "There was but one way to prevent loss," Miss Tarbell declares, "shut down the wells and stop the drill; but this the producers refused to consider." In justice to the entire producing community which it served, the company could no longer allow producers to keep the oil in the company's pipe lines as long as they chose. Accordingly, orders were issued that no oil should be run unless it was sold for "immediate shipment": that is, that oil should be taken for shipment but not for storage. Meanwhile, the accumulation of oil in the producers' tanks continued to increase until it exceeded the capacity of the pipe lines to carry it. Such oil, when sold for "immediate shipment," brought less than the market price. The scarcity of tank cars at the pipe-line terminals added to the difficulties of transportation. Oil ran on the ground and the anger against the United Pipe Line Company grew. "Conscious that their own reckless drilling had brought on the trouble," says Miss Tarbell, "they cursed the Standard, and put down more wells!"

Like the Kansas oil-producers, the Petroleum Producers' Union in 1878 appealed to the State authorities. An investigation of the railroads and the United Pipe Line Company was commenced by the Secretary of Internal Affairs, and proceedings of *quo warranto* were begun against them. Meanwhile, the "Hepburn" Committee, of the New York legislature, appointed to investigate the New York railroads, turned its attention to the Standard Oil Company, and the Ohio legislature instituted an investigation. Mass meetings were held, processions paraded through Bradford, riotous demonstrations occurred before the United Pipe Line Company's offices, men were hanged in effigy and bodies of masked men marched through the streets groaning and hooting before the offices of the buyers.* In the height of the excitement, Mr. Rockefeller and eight of his associates were indicted for conspiracy. But the tide of enthusiasm soon turned. The suits against the transportation companies flagged. The evidence of discriminations was not entirely satisfactory and showed that at least one member of the prosecuting committee of the Petroleum Producers' Union had contracted for discriminatory rates.† The

* I, 224–229.

† "Report of the Industrial Commission, 1900," I, 476–479.

trial of the hasty indictments of Mr. Rockefeller and his associates was postponed from time to time and eventually discontinued by the committee.* After pressing its extraordinary building operations for several months, the United Pipe Line Company was finally able to receive and store oil for future shipments, and the exasperating necessity of the "immediate shipment" order was removed.†

The history of the Standard Oil Company since 1880, as narrated by Miss Tarbell, is shortly told. The Tidewater Pipe Company, organized by independent oil interests, laid pipe lines from the Bradford field across the Alleghanies to a connection on the Reading Railroad. The Standard Oil Company, meanwhile, laid pipes from the oil regions to Cleveland, Buffalo and Pittsburg, its inland refining points, and was laying a seaboard pipe-line from the Bradford field to Bayonne, New Jersey. The officials of the Tidewater Company suggested to the Standard Oil Company a division of the business of transporting and refining oil;‡ and eventually, by what Miss Tarbell describes as "a legitimate method of getting into the company," Mr. Rockefeller bought a third of the Tidewater stock and effected an agreement between the Standard Oil Company and the Tidewater companies.§ In 1887, the independent oil-producers, desirous of raising the price of oil, approached the Standard Oil Company with an offer to shut down their producing wells a part or all of the time and to do no fresh drilling for a year. The proposition made to the Standard Oil Company was that the company should forego some of the profits which might accrue from the increasing price of the large stock of oil which it carried. "Here," says Miss Tarbell, "was a chance for Mr. Rockefeller to apply his theory of handling the oil-producers —conciliate them when possible." Accordingly, the Standard Oil Company agreed to sell to the independent association, before the "shut-down" commenced, five million barrels of oil at about the prevailing market price, and carry it for the association, so long as was desired, at the usual storage charge. The profit realized by the association through the advance in price was over twenty cents a barrel. By a similar arrangement the Standard Oil Company gave the profit upon one million barrels of oil to the workingmen thrown out of employment by the "shut-down."‖ Mean-

* I, 254. † I, 253. ‡ II, 22. § II, 23. ‖ II, 160.

while, several independent refiners had combined with the producers and organized the Pure Oil Company and the United States Pipe Line Company, which to-day are successfully operated in competition with the Standard Oil Company. In 1890, the Standard Oil "Trust Agreement," which had centralized the control of the allied companies of the Standard Oil Company, was declared illegal by the Supreme Court of Ohio, and the "Trust" was accordingly dissolved. In 1899, the capital of the Standard Oil Company of New Jersey was increased to $110,000,000, the "trust certificates" outstanding and the assignments of legal title, which had been substituted for the retired certificates, were exchanged for stock, and into this new organization were combined the properties or the controlling stock of all the allied companies of the old Standard Oil "Trust."

II.

The essential facts of the development of the Standard Oil Company, as recorded by Miss Tarbell, have been set forth. The rumor, common reputation and current fiction concerning these facts, which Miss Tarbell has woven into her narrative, remain to be examined. This embroidery upon the fabric of plain truth consists of two sorts of material: first, episodes which have never been proved, but have been widely circulated, and are repeated by Miss Tarbell as uncontradicted evidence; second, episodes which have been shown to be without foundation, but which Miss Tarbell repeats in the belief, apparently, that even a statement proved untrue, if quoted widely enough, acquires the quality of evidence.

The political activity of the Standard Oil Company, as described by Miss Tarbell, belongs to the first category. The first bill to regulate commerce, introduced in Congress in 1876, Miss Tarbell declares, was squelched largely through the efforts of a member "indirectly interested in the Standard," Congressman H. B. Payne.* How "indirectly" Congressman Payne must have been interested in the company is shown by his own statement, accepted by Miss Tarbell, that his election to Congress in 1871 was opposed by the company.† How improbable is the statement that the bill was killed by the Standard Oil Company is shown by Miss Tarbell's own account of the incident: the

* II, 112. † II, 112.

reckless accusations made before the Committee on Commerce, by an independent refiner called forth such convincing refutation from the railroads that the bill was dropped.* The election of Congressman Payne to the United States Senate in 1884, Miss Tarbell continues, was effected through large expenditures of money by Mr. Oliver Payne, son of the Congressman, and an officer of the Standard Oil Company. Relying solely upon "the popular feeling that the Standard Oil Company was using the legislative bodies of the country in its own interest," Miss Tarbell devotes seven pages to bribery charges against Senator Payne and to an effort to connect the Standard Oil Company with them. According to her own conclusions, "It was never proved that the Standard Oil Company had contributed a cent to his election. It was never proved that his seat was bought."† Furthermore, no act of his public or private life is adduced to support the imputation that he ever served the Standard Oil Company. If this evidence, which Miss Tarbell sets forth in full detail, is so unconvincing, what must the reader conclude as to the evidence supporting her naked assertions? "It was a matter of constant comment in Ohio, New York and Pennsylvania," Miss Tarbell declares, "that the Standard Oil Company was active in all elections, and that it 'stood in' with every ambitious young politician, that rarely did an able young lawyer get into office that was not retained by the Standard."‡ The silly impossibility of such a statement bears its own denial upon its face. Yet it is upon such "popular feeling" and "constant comment" and utter absence of proof that Miss Tarbell bases the accusation which she recently published in a sensational newspaper: "The Standard Oil Company not only has the railroads and the money. It has a great political machine organized for getting from State and Federal Government the kind of legislation and the kind of privileges which it wants."§

The famous charge, repeated "daily in Montana," as Miss Tarbell asserts,‖ that Mr. Rogers of the Standard Oil Company burned the refinery of a rival in Buffalo, is discussed in a chapter of twenty-three pages. The language of Miss Tarbell's account of

* I, 171. † II, 119. ‡ II, 112.

§ "New York American," February 27, 1905; third instalment of a series of articles on the "Crimes of the Standard Oil Trust," by Miss Ida M. Tarbell. ‖ II, 110.

the affair is calculated to stir the reader as deeply as if the accusation were true, and so carefully chosen as to conceal all but entirely Miss Tarbell's genuine conviction that the charge is really unfounded. "As a matter of fact," concludes Miss Tarbell, "no refinery was burned in Buffalo, nor was it ever proved that Mr. Rogers knew anything of the attempts the Everests made to destroy Matthews' business." Notwithstanding her belief that the charge is not established, Miss Tarbell has crammed twenty-three pages with thrilling narrative and with imputations against the Standard Oil Company. But when she was provided with material which the Standard Oil Company considered evidence of a conspiracy on the part of Matthews and his counsel to extort money from Mr. Rogers and the Company, "it was not used," she naïvely explains, "because it was not thought it established the charge."* Having thus discarded all unproved statements that might favor the Standard Oil Company and printed all the unsupported statements that tended to discredit it, she concludes that the Buffalo case "shows to what lengths a hostile public will go in interpreting the acts of men whom it has come to believe are lawless and relentless in pursuing their own ends. The public, particularly the oil public, has always been willing to believe the worst of the Standard Oil Company."† Truly, any inadvertent statement of fact which might shock the belief of "a hostile public" has been successfully avoided in Miss Tarbell's narrative.

A similar arbitrariness in the choice of material appears in other incidents of Miss Tarbell's history. Readers of Henry D. Lloyd's "Wealth against Commonwealth" will remember a pathetic chapter, the material of which had "remained buried in the document room of the Court of Common Pleas of Cuyahoga County under the gathering dust of years," which told of the sale by a certain "Mrs. A——, a widow in Cleveland," of a refinery to the Standard Oil Company. This story Miss Tarbell, in her chapters on the Standard Oil Company in "McClure's Magazine," substantially reprinted. As told in the affidavit of "Mrs. A——," which Miss Tarbell has generously quoted, the refinery was first offered to the Standard Oil Company for $200,000 and eventually was sold for $79,000. After the sale was completed, "Mrs. A——" wrote to Mr. Rockefeller complaining of the bargain

* II, 107. † II, 110.

and "threatening to make the transaction public," whereupon Mr. Rockefeller replied:*

"In view of what seems your present feelings, I now offer to restore to you the purchase made by us, you simply returning the amount of money which we have invested and leaving us as though no purchase had been made. Should you not desire to accept this proposal, I offer to you one hundred, two hundred, or three hundred shares of the stock at the same price that we paid for the same, with this addition, that we keep the property we are under engagement to pay into the treasury of the —— Oil Company an amount which, added to the amount already paid, would make a total of $100,000, and thereby make the shares $100 each.

"That you may not be compelled to hastily come to conclusion, I will leave open for three days these propositions for your acceptance or declination."

In her affidavit "Mrs. A——" declared: "I was so indignant over the offer being made at that late day, after my request for the stock having been made at the proper time, that I threw the letter into the fire and paid no further attention to it."† Miss Tarbell's conclusion follows:

"It is probably true, as Mr. Rockefeller states, that he could have reproduced Mrs. A——'s plant for $20,000; but the plant was but a small part of her assets. She owned one of the oldest lubricating oil refineries in the country, one with an enviable reputation for good work and fair dealing, and with a trade that had been paying an annual net income of from $30,000 to $40,000. It was this income for which Mr. Rockefeller paid $79,000; this income with the old and honorable name of the —— Oil Company, not a few stills and tanks and agitators."‡

Upon this episode Miss Tarbell bases her statement that "a proposal from Mr. Rockefeller was certainly regarded popularly as little better than a command to 'stand and deliver.'"§

In her history, published in book form, Miss Tarbell added to the story of "Mrs. A——," whose real name, it seems, is Mrs. Frederick M. Backus, a new element of accuracy by calling her "Mrs. B——"‖ It remained for another, however, to dig under the "gathering dust of years" and reveal the facts of this widely quoted episode. The affidavits that deal with the statements of Mrs. Backus were printed in full in the "Oil City Derrick" of February 18, 1905.

* "McClure's Magazine"; Vol. XX, 507. † Ibid., 507. ‡ Ibid., 508. § Ibid., 505. ‖ I, 203–207.

The employee of the Backus Oil Company who conducted the negotiations for Mrs. Backus with the Standard Oil Company declared under oath that Mrs. Backus had consulted him concerning the advisability of retaining some stock or an interest in the business in case the sale was made, but suddenly abandoned the idea and declared that if she sold at all she desired to part with her entire interest. Thereupon he notified the Standard representative, "and the further negotiations were conducted with reference to that declination to take the stock." After the negotiations had been completed, she again changed her mind; but, "acting upon her previous refusal to take stock, such arrangements had been made with respect thereto as made it inconvenient to comply with her request." Instead of realizing only $79,000, as Miss Tarbell concludes, from Mrs. Backus's affidavits, was the case, the sworn statement of this employee, corroborated by that of the superintendent, is that from the purchase price and from the collection of outstanding accounts—which were not included in the sale—the Backus Oil Company netted upon the sale of its business $133,000, and that, at the time their affidavits were taken, a considerable part of its assets remained which had "not yet been converted into money." Why these affidavits, which were filed and kept with the affidavits from which Mr. Lloyd and Miss Tarbell quoted, should have been so completely ignored is difficult to understand. A more recent affidavit, printed in the same number of the "Derrick," is verified by Mr. Backus's brother, who had been a partner with Mr. Backus and an employee of the Oil Company after the latter's death. Since the "boom" years of refining, says Mr. Backus, when the annual profits once reached $30,000 or $40,000, profits had declined enormously, until at the time of the sale they were very small. Before negotiations were begun with the Standard Oil Company, Mrs. Backus had offered to sell all the assets of the business to several of her employees for $10,000 cash and $60,000 in securities, but the offer had not been accepted. Upon this same plant and accompanying assets, the Backus Oil Company realized by the sale to the Standard Oil Company and the subsequent collection of accounts about $160,000. As to Mr. Rockefeller's conduct in the matter, Mr. Backus corroborated the sworn statement of the representative of the Standard Oil Company who had negotiated with Mrs. Backus, saying that after a sum had been agreed upon as the

proper price, Mr. Rockefeller had particularly requested that $10,000 be added to make a "round price" for the property. The matters discussed in these affidavits were not passed upon by the court in the decision of the case in which they were submitted. As they stand, therefore, they must each be considered quite as trustworthy as the affidavit, relied on by Mr. Lloyd and Miss Tarbell; and since all three unanimously contradict the unsupported testimony of a single witness, the preponderance of evidence overwhelmingly opposes Miss Tarbell's assertions of fact.

Failure to examine the evidence and careless disregard of facts that oppose common tradition are serious defects in a history. Writers upon the subject of the Standard Oil Company have fallen into the habit of repeating at length the accusations brought against the Standard Oil Company by Mr. George Rice, of Marietta, Ohio. Some of these accusations have been demonstrated in courts of law to be just. Others have been dismissed by the courts as unfounded, and still others have never been litigated and rest upon no other basis than the statement of Mr. Rice. Accusations of the latter sort, it is clear, must be weighed with reference to Mr. Rice's relation to the Standard Oil Company. Mr. Rice, in cross-examination in the case of Ohio *v.* Buckeye Pipe Line Co., admitted that he had offered to quit his attacks upon the Standard Oil Company in return for $250,000 for his plant and $50,000 for five years, and added that, several years before, he had offered to sell it for $25,000 and $5,000 for five years, and before that time had offered to sell it for $20,000.* The record of Mr. Rice was discussed by Mr. Justice Van Brunt in the opinion of the court in Rice *v.* Rockefeller in language which was substantially approved later by the Court of Appeals:

"Down to the time of the beginning of this action, the plaintiff had been uninterruptedly prosecuting, or aiding in prosecuting a series of litigation proceedings in the courts and before the Interstate Commerce Commission and before an investigating committee of Congress, for the purpose of securing, as he claims, from the railroad companies what he considers equal rights with said trust for the carrying of his products, and at the same time helping his own interests as a rival of said trust; and from time to time during a period of several years prior to the beginning of this action the plaintiff has offered to sell his refining property to the defendants as such trustees, and to retire from his position as a rival and competitor to the said trust upon the payment to him at first of

* "Report of the Industrial Commission, 1900," I, 562.

the sum of $250,000 and subsequently of the sum of $500,000, both of said sums being greatly in excess of the true value of said property."*

In repeating the accusations of Mr. Rice against the Standard Oil Company, fairness to the reader should have impelled Miss Tarbell to add such information regarding the accuser as might permit a proper allowance to be made in the interests of accuracy.

In imputing a falsehood to Mr. Rockefeller, mere respect for truth should have been sufficient to restrain her from misquoting her evidence. "When before the New York Senate Committee," Miss Tarbell asserts, "Mr. Rockefeller was asked if he was not a member of the South Improvement Company. 'I was not,' he replied."† This statement Miss Tarbell declares to be contrary to the "well-known fact," and inconsistent with later statements of Mr. Rockefeller.‡ If Miss Tarbell had not suppressed that part of the colloquy which immediately precedes the testimony which she quotes,§ her readers could themselves see that Mr. Rockefeller was never asked if he was a member of the South Improvement Company. Mr. Rockefeller was asked if he was not a member of "a trust company called the Southern Improvement Company."‖ As he indicated in his reply, such a company existed.¶ It was a totally different corporation, however, from the South Improvement Company.** It bore no relation to the latter, and Mr. Rockefeller was never in any way interested in it. The imputation that he sought to conceal his connection with the South Improvement Company is further refuted by his frank testimony before the Congressional Committee scarcely two months later, in which, as Miss Tarbell states, he named himself in his enumeration of the directors of the company.†† Miss Tarbell's own narrative, therefore, as well as the records on which she relies, disproves the charges of falsehood which she makes against Mr. Rockefeller.

The relation of the Standard Oil Company to the retail trade and to the consumer, which to-day is the most vital phase of the

* 56 Hun (N. Y.), 519. † II, 138. ‡ II, 132, 138. § II, 132.
‖ Report on Investigation Relative to Trusts, New York Senate, 1888; page 419.
¶ The Southern Improvement Company was incorporated April 16, 1870, by the Legislature of Pennsylvania: Laws of Pennsylvania, 1870, page 1227.
** The South Improvement Company was incorporated January 6, 1871; Laws of Pennsylvania, 1872, page 1278.
†† II, 138.

company's activity, is treated in several chapters. Miss Tarbell concludes that, since 1880, experience "seems to have convinced Mr. Rockefeller and his colleagues at last that, however great the fun and profit of making oil very dear, in the long run it does not pay."* In the marketing of its product, the company attends carefully to the conditions of competition in every market. "In later years," says Miss Tarbell, "the Standard has been more cautious about beginning underselling than formerly, though if a rival offered oil at a less price than it had been getting—and generally even small refineries can contrive to sell below the non-competitive prices of the Standard—it does not hesitate to drop its prices and keep them down until the rival is out of the way."† Independent refiners have frequently declared that the details of their business were told by their own clerks, or by clerks in freight-offices, to the Standard Oil Company. "But, while the proofs the independents have offered of their charges," says Miss Tarbell, "show that such leaks have occurred at intervals all over the country, they do not show anything like a regular system of collecting information through this channel. From the evidence, one would be justified in believing that the cases were rare, occurring only when a not over-nice Standard manager got into hot competition with a rival and prevailed on a freight-agent to give him information to help in his fight."‡ Miss Tarbell adds, however, that she has come into possession of "a large mass of documents" tending to show that the Standard Oil Company receives regularly from certain railroads and steamship lines reports on all oil shipped;§ but what these documentary reports are and what they tend to prove cannot be determined, for Miss Tarbell has merely made passing reference to them.

Vagueness and incomplete statement of evidence thus mar Miss Tarbell's treatment of the most important aspects of the history of the Standard Oil Company. By a partisan choice of authorities and an exaggerated emphasis upon the dramatic phases of the narrative, the historical facts have been dressed in the motley of popular legend. As a piece of historical writing, the work is valuable for little more than the reprints of original documents contained in its generous Appendices. Had Miss Tarbell been content merely to suffuse history with emotion, as

* II, 206. † II, 61. ‡ II, 40. § II, 40.

Augustin Thierry brightened the events of the Merovingian dynasty, her work might fairly be called history. But when to dramatized history she added all the fiction that the popular imagination has conceived regarding the Standard Oil Company, she assumed to be a mere gatherer of modern folk-lore. So far as she shows the psychological condition of that portion of the community which assigns mythical attributes to the Standard Oil Company, Miss Tarbell's statement of the legend of the Standard Oil Company has indeed a value. Such a value, however, must be less than would be the value of an accurate statement of the historical facts around which the remarkable superstition has grown.

GILBERT HOLLAND MONTAGUE.

OUR CHINESE TREATIES; AND LEGISLATION; AND THEIR ENFORCEMENT.

BY STEPHEN W. NICKERSON, IMPERIAL CHINESE CONSUL AT BOSTON, MASSACHUSETTS.

To understand properly the present attitude of the Imperial Chinese Government and of intelligent Chinese as to commercial and other relations in the future between China and the United States, we must review the history of the past relations of the two countries, by glancing at the treaties that have been made, and by examining the legal status of Chinese persons as to citizenship and residence in the United States; next, we must look at the legislation by Congress affecting these treaties, and the Chinese within our borders; then we must pay some attention to the regulations made by administrative officers, by authority of Congress, relating to the exclusion of the Chinese; and, finally, some of the judicial decisions about the exclusion laws and the regulations, made by the Supreme Court, should be considered.

I. The treaties made.—The first treaty, made in 1844, contained mutual declarations of peace and friendship, with stipulations about commercial intercourse at certain Chinese ports and for protection for Americans while peaceably attending to their affairs in China. The second treaty, made in 1858, reiterated the pledges of peace and amity between the two nations. But neither of these two treaties touched upon the migration and immigration of the citizens and subjects of the two nations.

The third treaty—that of 1868, known as the "Burlingame treaty"—by its Article V cordially recognized:

"the inherent and inalienable right of man to change his home and allegiance, and also the mutual advantage of the free migration and immigration of their citizens and subjects from the one country to the other for purposes of curiosity, of trade, or as permanent residents."

Article VI provided that:

"Citizens of the United States visiting or residing in China shall enjoy the same privileges, immunities or exemptions in respect of travel or residence as may there be enjoyed by the citizens or subjects of the most favored nation. And, reciprocally, Chinese subjects residing in the United States shall enjoy the same privileges, immunities and exemptions in respect to travel or residence as may there be enjoyed by the citizens or subjects of the most favored nation."

The fourth treaty, known as the "Supplementary Treaty," of November 17, 1880, by its Article I provided that:

"Whenever, in the opinion of the Government of the United States, the coming of Chinese laborers to the United States, or their residence therein, affects, or threatens to affect the interests of that country, or to endanger the good order of the said country or of any locality within the territory thereof, ... the Government of the United States may regulate, limit or suspend such coming or residence, but may not absolutely prohibit it. The limitation or suspension shall be reasonable, and shall apply only to Chinese who may go to the United States as laborers, other classes not being included in the limitations. Legislation taken in regard to Chinese laborers will be of such a character only as is necessary to enforce the regulation, limitation or suspension of immigration, and immigrants shall not be subject to personal maltreatment or abuse."

Its Article II declares that:

"Chinese subjects, whether proceeding to the United States as teachers, students, merchants or from curiosity, together with their body and household servants, and Chinese laborers who are now in the United States, shall be allowed to go and come of their own free will and accord, and shall be accorded all the rights, privileges, immunities and exemptions which are accorded to the citizens and subjects of the most favored nation."

The fifth treaty, that of December 8, 1894, agreed that, "for a period of ten years, beginning with the date of the exchange of the ratification of this Convention, the coming, except under the conditions hereinafter specified, of Chinese laborers to the United States shall be absolutely prohibited." Its Article III continued the rights of the privileged classes of coming to and residing in the United States. Its Article IV gave to all Chinese, even laborers, "for the protection of their persons and property all rights that are given by the laws of the United States to citizens of the most favored nation, excepting the right to become naturalized citizens." This treaty was terminated by China at

the expiration of ten years, in accordance with terms of its Article VI applicable to both countries.

The sixth treaty was signed at Shanghai on October 8th, 1903, the ratifications being exchanged at Washington on January 13, 1904, and was designed to "extend further the commercial relations between 'the United States and China,'" and otherwise to promote the interests of the peoples of the two countries. By its Article IV, the Chinese Government undertook to abolish the system of taxation known as "*likin*," on a date to be agreed upon, when the provisions of that article had been accepted by the Powers having treaties with China. Article V fixes the tariff duties to be paid by citizens of the United States on goods imported into China, as set forth in the schedule annexed to the treaty; and provides that citizens of the United States are at no time to pay other or higher duties than those paid by the citizens or subjects of the most favored nation, and that Chinese subjects are not to pay higher duties on their imports into the United States than those paid by the citizens or subjects of the most favored nation. A number of other very valuable and important provisions are contained in this treaty, which we have not space to enumerate, the agreement on the part of the Chinese Government to establish a system for the protection of trademarks, copyrights and patents being of the number.

II. Status of Chinese in the United States.—The first question to arise, when considering the status of persons of Chinese descent in the United States, is whether such persons can be American citizens. The answer is: Yes, by birth here; but not by naturalization. In the case of Wong Kim Ark (169 U. S.), a majority of six of eight sitting Supreme Court Justices decided that:

"A child born in the United States, of parents of Chinese descent, who at the time of his birth are subjects of the Emperor of China, but have a permanent domicile and residence in the United States, and are there carrying on business, and are not employed in any diplomatic or official capacity under the Emperor of China, becomes at the time of his birth a citizen of the United States, by virtue of the first clause of the XIVth Amendment of the Constitution, which says that 'all persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside.'"

Chinese persons born in China cannot be naturalized, like white or African aliens, by proceedings under the naturalization laws.

This is for want of any statute or treaty authorizing or permitting such naturalization. And, indeed, by the treaty between the United States and China, made in 1868 and promulgated in 1870, the Burlingame treaty above mentioned, it appears that "nothing herein contained shall be held to confer naturalization upon citizens of the United States in China, nor upon the subjects of China in the United States."

Only whites could be naturalized, until later in the year 1870, when Congress for the first time extended the naturalization laws "to aliens of African nativity and to persons of African descent." This extension, as embodied in the Revised Statutes, took the form of providing that those laws should "apply to aliens, being free white persons, and to aliens of African nativity, and to persons of African descent."

Moreover, the Act of 1882 expressly provided that "hereafter no State Courts, or Courts of the United States, shall admit Chinese to citizenship." In the case of Fong Yue Ting, the Supreme Court said: "Chinese persons not born in this country have never been recognized as citizens of the United States, nor authorized to become such under the naturalization laws."

The next question arising as to Chinese persons is: Can they be excluded or expelled at will by the United States? The answer is: Yes, subject to certain exceptions. So a majority of the Supreme Court decided in the case of Fong Yue Ting. Six of the nine Justices thought that, under the Acts of Congress known as the "Chinese Exclusion Acts," the United States has rightfully exercised the power to exclude and to expel from this country Chinese persons, born in China and still subjects of the Emperor, and persons of Chinese descent, wherever born, owing allegiance to whatever Government, and this despite the acquisition by such persons of a commercial domicile here, for reasons applicable to all aliens, and inapplicable to citizens of any race or color.

Thus it was said by the Supreme Court that the right to exclude or to expel all aliens, or any class of aliens, absolutely or conditionally, is an inherent, inalienable right of every sovereign and independent nation; that the power, being a power affecting international relations, is vested in the political departments of the United States Government, and is to be regulated by treaty, or by Act of Congress; and that the power to exclude and the power to expel are but parts of one and the same power.

This case was decided correctly so far as the power *to exclude* is concerned; but the powerful reasoning of the three dissenting Justices seems to throw doubt on the power *to expel.* Justice Brewer dissented, and spoke of the facts that a Chinese person, arrested in one district, may be taken to another district, as has been done, and put upon his examination at a great distance from his residence, and that the Act made no provision to enable him to compel the attendance of witnesses. Justice Field, also dissenting, asked: "What assurance have we that it [Congress] may not declare that naturalized citizens of a particular country in the United States, after a certain day, unless they have in their possession a certificate, etc.," may be expelled? Chief-Justice Fuller, also dissenting, said: "It [the Act of 1892] contains within it the germs of the assertion of an unlimited and arbitrary power, in general, incompatible with the immutable principles of justice, inconsistent with the nature of our Government, and in conflict with the written Constitution by which that Government was created and its principles secured."

III. Legislation.—We come next to the legislation by Congress affecting the Chinese treaties and the Chinese. In 1882, Congress passed an Act, entitled "An Act to execute certain treaty stipulations relating to Chinese." The treaty meant was that of 1880—a treaty unwillingly made on the part of China—which, we have seen, expressly states that the *limitation* of Chinese immigration "shall be reasonable, and shall apply only to Chinese who may come to the United States as laborers, other classes not being included in the limitation," for such are the words of the solemn treaty. This Act of 1882, among other things, executed the treaty *by entirely forbidding,* for ten years, any Chinese laborer to come to the United States, or having come, to remain here. It provided that laborers already in the country might go to China and return only after obtaining certain certificates of identification from collectors of customs; and that the privileged classes under the treaty—teachers, students, merchants, etc.,—must obtain certificates of identification from the Chinese Government in the English language, or accompanied (if in Chinese) by an English translation, containing many requirements; it also provided for the deportation of any Chinese person found unlawfully here.

An Act was passed in 1884 to amend (*i. e.,* to make more harsh) the Act of 1882; it also forbade any Chinese laborer to

come into the United States for ten years. Both Acts bore heavily against the Chinese, the latter Act being made applicable to all subjects of China and every Chinese person, whether subjects of China or of any other foreign Power; and the word "laborers," by the terms of the 1884 Act, was made to include both skilled and unskilled laborers, as well as miners. The certificates of returning laborers, and the certificates required of the privileged classes, were made the sole evidence of their rights, respectively, to return and to enter.

In September, 1888, Congress passed "An Act to prohibit the coming of Chinese laborers to the United States." It narrowed down the return of laborers to those who left wife, child or parent in the United States, or property or debts due them therein to the amount of one thousand dollars, besides increasing the requirements of the return certificates.

In October, 1888, Congress passed an Act, supplementary to the Act of 1882, which "executed" the treaties then in force with a vengeance, *by entirely prohibiting the return of all Chinese laborers to the United States, and by explicitly declaring void and of no effect the return certificates already granted under the Act of 1882.* No more return certificates could thereafter be given, no Chinese laborer could thereafter lawfully return; and even American citizens of Chinese descent, born here, were excluded under this Act, which remained in force until the treaty of 1894 came into effect. Let it be remembered that the treaty then existing forbade the United States to *prohibit* the coming of Chinese.

The next Act—that of May, 1892—was entitled "An Act to *prohibit* the coming of Chinese persons into the United States." It made still more rigorous the legislation then existing, for it laid the burden of proof upon the Chinese—*i. e.,* it presumed them guilty—a presumption contrary to the common law; it ordered that a Chinese person convicted and adjudged to be not lawfully entitled to be or remain in the United States should be *imprisoned at hard labor* for a period not exceeding one year, and thereafter deported from the United States; it enacted that on an application by a Chinese person seeking to land in the United States, to whom that privilege had been denied, for a writ of *habeas corpus,* no bail should be allowed; it commanded all Chinese laborers within the limits of the United States at the time to apply to the Collectors of Internal Revenue within a year

for a certificate of residence, and made it the duty of United States officials to arrest and deport laborers without such certificates, unless they could establish to the satisfaction of a judge, by at least one credible white witness, certain facts difficult to prove as an excuse. It authorized the Secretary of the Treasury to make rules and regulations for the efficient execution of this Act; and that official made some rules and regulations that certainly did not lighten the incidence of any of the legislation upon the Chinese, whether laborers or of the privileged classes.

In November, 1893, Congress passed some more anti-Chinese legislation, in the form of an Act to amend (make more rigorous) the Act of 1892; for, by the definition of the word "laborer," Congress included with skilled and unskilled manual laborers and miners, fishermen, hucksters, peddlers, laundrymen, and those engaged in taking, drying, or otherwise preserving shell or other fish. The Chinese word in the Chinese copy of the treaties meaning "laborers" justified no such interpretation.

A returning merchant, to enter the country thereafter, had to establish, by two credible *witnesses other than Chinese,* certain facts difficult of proof, or be refused entrance. Orders of deportation of all classes of men were to be executed by holding the prisoners in the custody of the United States Marshal *without bail,* until deportation actually took place. Many poor Chinamen, not all laborers by any means, have languished in jail for months at a time under this provision of the law.

In August, 1894, Congress legislated that an alien (this included Chinese, of course), excluded from admission to the United States under any law or treaty then existing, or thereafter made, by the decision of an Immigration or Customs officer, had only an appeal to the Secretary of the Treasury. This meant that the decision of a single minor United States official was final, unless the busy Secretary of the Treasury, away off in Washington, should reverse it.

By joint resolution in 1898, Congress forbade further immigration of Chinese into the Hawaiian Islands, and forbade Chinese to enter the United States from the Hawaiian Islands.

In June, 1900, the Commissioner-General of Immigration was put in charge of the administration of the Chinese Exclusion Law, under the supervision and direction of the Secretary of the Treasury. This, the writer thinks, was wise.

In March, 1901, Congress passed an Act supplementary to the prohibiting Act of 1892, which provided:

"That no warrant or arrest for violations of the Chinese-exclusion laws shall be issued by United States commissioners, excepting upon the sworn complaint of a United States district attorney, assistant United States district attorney, collector or inspector of customs, immigration inspector, United States marshal, or deputy United States marshal, or Chinese inspector, unless the issuing of such warrant of arrest shall first be approved or requested in writing by the United States district attorney of the district in which issued."

How this law has been obeyed by United States officials, and how carefully the spirit of it has been observed, is plain from the fact that, on a Sunday evening in October, 1903, about three hundred Chinamen were dragged from their homes, restaurants, club-rooms and shops, in the city of Boston, Massachusetts, by police under the control of United States Chinese Inspectors under the orders of the Immigration Commissioner of the port, arrested and imprisoned in the Federal Building—and all without any warrant at all, unless one or two warrants first issued can be said to have justified the proceeding. The next day, warrants were sworn out for the men the officials dared to hold—about one hundred in number. A United States District Judge surprised the able counsel who took the matter before him on behalf of the Chinese by deciding that this raid was lawful, and that the arrests were lawful, though without warrants for all but possibly two of the arrested persons, although Article IV of the treaty of 1894 was then still in force. Let it be remembered that Chinese persons were at the time entitled by treaty to the protection of the United States; and that Section 1977 of the United States Revised Statutes said that "all persons within the jurisdiction of the United States shall have the same right . . . to the full and equal benefit of all laws and proceedings for the security of persons and property, as is enjoyed by white citizens, and shall be subject to like punishments, pains, penalties, taxes, licenses and executions of every kind, and to no other."

Would the judge in question have decided that such proceedings were legal, if three hundred British or German subjects or French citizens had been raided and arrested without warrants?

In April, 1902, Congress passed another Act "to prohibit the coming into, and to regulate the residence within, the United

States" of Chinese and persons of Chinese descent. This Act continued in force the anti-Chinese laws then in existence, "so far as the same are not inconsistent with treaty obligations." It transferred all the power possessed by the Secretary of the Treasury under the Chinese laws to the Secretary of Commerce and Labor for the future, the Commissioner-General of Immigration becoming a subordinate also of the latter Secretary.

IV. Regulations by administrative officers.—Some new and much more drastic regulations were made by the new Secretary in July, 1903. Some of the enormities which can be legally perpetrated under these regulations were pointed out in this REVIEW, in the number for March, 1904, by Mr. Wong Kai Kah, the Deputy Commissioner of the Imperial Chinese Government to the late Louisiana Exposition at St. Louis, Missouri. The limits of this article forbid any attempt here to discuss them.

V. Judicial decisions.—We turn now to the consideration of a few of the decisions of the United States Supreme Court bearing upon the Chinese. In the recent case of the United States *vs.* Sing Tuck (194 U. S.), a majority of the Justices of the Supreme Court decided that the petition, by Chinamen, for a writ of *habeas corpus* in order to regain their liberty, ought not be entertained, the case being one in which certain persons of Chinese descent who sought to enter this country had been detained at the border by a Chinese Inspector. The Chinamen in question claimed to be native-born and asserted American citizenship. The majority of the Court said that the Act of August 18, 1894, gave the executive officers in the case (Chinese Inspectors and Inspectors of Immigration) the right to determine the question of citizenship; and that, because in this case the adverse decision had not been reversed on appeal to the Secretary, the writ of *habeas corpus* would not lie.

Justice Brewer, in his dissenting opinion, reminds the majority of the Court that it had previously described American citizenship as an "inestimable heritage." He criticises the opinion of the majority in admirable words, and evidently believes that the nature and theory of our Government, and the principles upon which it ought to rest, do not leave room for the exercise of purely personal and arbitrary power. Amongst other things, he says: "I never supposed that Courts could deny a party a hearing on the ground that they did not believe it probable that he could

establish the claim which he makes." The Apostle Paul was permitted to appeal to Cæsar.

In the Japanese Immigrant case (189 U. S.), a majority of the Court—the same Justices, Brewer and Peckham, dissenting—had previously denied a writ of *habeas corpus* in the case of a woman about to be deported, after arrest and imprisonment, by the decision of a single minor executive official, although the poor creature was entirely ignorant of the English language, was unaware of the nature of the proceedings against her, and had had no opportunity to be heard. Of course, this decision under the immigration laws foreshadowed the Sing Tuck decision above mentioned.

But, in the case of the United States *vs.* Ju Toy, decided May 8th last, a majority of the Court held (the Japanese case being used as a precedent) that a Chinese person who alleged he was a native-born American citizen, and who had just been decided to be such a citizen by a United States District Court, was not entitled to a writ of *habeas corpus* to regain his liberty and his country, because immigration officials had previously decided he was not a citizen. In this case, the majority did not have an excuse for refusing the writ such as they had in the Sing Tuck case, for an appeal had previously been made to the Secretary of Commerce and Labor from the Immigration official's denial of the right to enter. Mr. Justice Brewer dissented, in an opinion that every lover of liberty should read, and Justices Peckham and Day joined in the dissent.

Summary.—This hasty review of the treaties, legislation and of certain judicial opinions affecting the Chinese, shows that the United States Government by the Burlingame Treaty of 1868 virtually invited the Chinese to come to this country; that the invitation may be said to have been recalled by the treaty of 1880; that all subsequent legislation has been in derogation of Chinese treaty rights, much of it being deliberate violations thereof; and that the decisions of the United States Supreme Court have progressed in their harsh interpretation of the rights of persons of Chinese descent, until the last decision of the majority of that body is a grave menace to the liberty of native-born white American citizens.

STEPHEN WESTCOTT NICKERSON.

THE MENACE OF MORMONISM.

BY SHELBY M. CULLOM, UNITED STATES SENATOR FROM ILLINOIS.

MORMONISM, as a menace, has recently elicited frequent and very general discussion, which has too often been based on incorrect premises or on insufficient information, and the result has been opinions so much at variance as to suggest more of the weakness of overreaching agitation than the strength of defined conviction. It is always difficult to restrict oneself to the strait and narrow way of justice, however earnest the intentions; but, in the present case, the diversity would indicate that very few have even so much as found it. This is not a desirable condition; for the extermination of evil cannot be effected or a subverted sentiment reconstructed, nor can apprehension or proper justice be brought to bear upon instigators of error and promoters of malevolent influences, without unity of purpose, accuracy and intelligent design. Napoleon lost Waterloo by relying upon false information. Many a fight has failed for lack of concentration.

Truth may hide in the shadow of the anonymous, but it is apt to be a truth which is intended more for injury than justice, and it is seldom creditable. The object of contumely often gathers strength instead of falling. In the multitude of counsel there is wisdom, but in even concerted vituperation there are only weakness, confusion and abortive energy.

To reduce a consideration of the subject to its simplest and most direct form, let me, without apostasy, propound the question: "Is Mormonism a menace?" Apparently, this is still an open question, but assuredly it is one upon which there should be more uniformity of opinion and less sentimental agitation, if any real benefit is to be gained. And if it is a question worthy of being thus universally mooted, it becomes the duty of loyal citizens to study it till they arrive at trustworthy and legitimate conclusions,

and are prepared to enforce these conclusions, before the menace, if menace there be, grows in the power and possibility of mischief, beyond the reach of reasonable reformation.

It is an axiom, fundamental to the matter, that it would be impossible to overestimate the danger to a republic of a tendency, either public or private, religious, judicial, communal or individual, to set at defiance, or even to evade or ignore, the laws of the land under which the perpetrators claim protection. It is the people who, through their agents, are directly responsible for the enactment of the laws. It is the people, through their agents, who are responsible for the enforcement of the laws. It is the people, whether as individuals, organizations, legal tribunals or communities, who evade or defy the laws, and the kingdom divided against itself cannot stand. Much less can a republic stand uninjured by such an internal condition, however small or remote the centre of evil influence may be.

There is no excuse for the man, the corporation, the community or the court that would set aside the laws of the land, either by ignoring or defying them. When a law conflicts with conscience or with inclination two ways are always open for relief. If the disparagement is general, the law can be changed. If it is individual, then the individual can move away from under it. There is nothing which can justify the deliberate and persistent breaking of any law, and a tendency to attempt to do so is a grave menace to the prosperity and integrity of all who are associated, even remotely, with the wrong-doers.

The Committee of the United States Senate, which has recently occupied much time in its investigation of a subject bordering upon this, has elicited valuable information, and also a large amount of garbled or imaginary matter which later evidence has proven to be untrue; while indirectly it has instigated many statements in the public press, contradictory and confusing, producing a most unsatisfactory state of the public mind, especially when it attends an effort to induce reformation. Besides, the question at issue in the hands of the Senate Committee is one which will be dealt with in the Committee and in the Senate, according to such light as has been available bearing directly upon a limited problem. It has been incorrectly construed as reaching out to encompass the entire matter. In reality, the final conclusion of the question at issue need not, of necessity, solve, or even materi-

ally influence, the general problem before us. The menace of Mormonism is abstract and ulterior. It must be considered and dealt with upon its individual merits. No one can deny that there was a time, at least, when Mormonism was a grave and serious menace to this country. Two of the cardinal features of its promulgation were a disgrace and a danger to the integrity of any community in which they were factors. I refer, of course, to polygamy and hierarchy, as perpetrated in the early Mormon Church, which, with their natural outgrowths, constituted the serious menace of Mormonism. I am ready to accept the statements that outside of these influences there is much that is vigorous, energizing and commendable in the general conditions engendered by the Mormon system; but, so far as these two elements exist to-day, so far—though perhaps not so seriously as years ago—Mormonism is the same menace to this country that it was in the beginning.

Statistical evidence shows that the *practice* of polygamy is decreasing. It is apparently dying out. Many assertions have also been made, some under oath, that the *principle* of polygamy is already dead. But it has been freely admitted that, to a limited extent, at least, polygamous lives are still lived among the Mormons, obviously justified by the Church, since the First President acknowledges himself an active polygamist; winked at by society and ignored by courts of justice on account of certain extenuating circumstances. Now, circumstances may extenuate many things between individuals, and it is possible, I suppose, that, in the present peculiar conditions, there are some who honestly consider that the extenuating circumstances are sufficient to mitigate the malevolent influence of setting law at defiance. As between individuals this may be true; but, so far as any law of the land is being set aside, defied, under cover and protection of Mormonism, Mormonism itself is a menace, regardless of any or all mitigating and extenuating circumstances.

Polygamy, in the abstract, as it presents itself in Utah to-day, may not be the serious element in the influence Mormonism exerts which it was forty, or even ten, years ago, but the disregard of law is no less offensive now than then. If the principle of polygamy is really dead, the rapidly decreasing practice will soon follow it into oblivion. But is the principle really dead?

In various official spheres, during the past half-century, I have

been involved in fighting the evils of Mormonism. I had the honor—and, as Mormonism used to be, I consider it a signal honor—of preparing the first anti-Mormon bill ever presented to a legislature. The Mormons had been bidding for a foundation in Illinois, and we had sent them, bag and baggage, after the Star of Empire. While I was Speaker of the Illinois House of Representatives and Governor of Illinois, the question came up in various ways; and in the National House of Representatives, while I was Chairman of the Committee on Territories, we framed an anti-polygamy territorial act for the restriction of Utah. Throughout, my opinions have been as strong as I could hold them, and have only changed in forty years so far as I have been led to believe that the ethics of Mormonism had really changed, on the two vital issues which, to my mind, constitute the menace of Mormonism.

In the early days, Brigham Young constituted the Mormon Church, temporal, spiritual and material. He was the prophet, the priest, the seer, the revelator, the First President, the treasurer and trustee of the Church of Latter-day Saints. In one of his sermons, I remember, he said:

"I never yet preached a sermon and sent it out to the children of men that they may not call Scripture. Let me have the privilege of correcting a sermon and it is as good Scripture as they deserve." I presume that the great mass of his hearers believed that he spoke to them from God, and it is easy to understand how such a man at the head of such a Church must make it a menace. There was nothing doubtful about the proposition then, but it is now earnestly asserted that the objectionable features of the old régime have been abandoned; and lest that be true, before we form a judgment for to-day, we should be satisfied just how much the conditions have really changed; how materially the sentiment and the institution have been, not merely temporarily modified to the demands of the moment or the temper of the revelator, but radically reformed. If the reconstruction claimed has been thorough and is perpetual, then much of the menace of Mormonism has been removed. Polygamy alone, to-day, is not a menace of the gravest importance; for, though it is contemptible and demoralizing, it is a practice so deprecated by and abhorrent to all right minds and all sense of integrity in the civilized world that, Church or no Church, it must, of necessity,

die of its own shame the moment that it comes in contact with clean theories and modern lives. It could never have held out against the higher sentiments of humanity, even under the shadow of its Endowment House, when railways created intercourse and real men and women began to penetrate its solitudes. From without, not from within, comes the best assurance that it will never again be the menacing arm of Mormonism that it appeared to be a few years ago, in its unapproachable isolation. It is the spirit of evading the law which pervades whatever remains of the practice to-day that constitutes the menace of polygamy; and more of a menace than even the selfish sensuality which instigated the practice.

The principle of polygamy was born in the guise of a revelation, from the mind of one who considered that the *practice* would promote the success of the system of ethics which he was developing. It is not necessary to consider or to construe the arguments indorsing it. It flourished, and Mormonism flourished with it, taking no heed of United States law, active in territorial government, until President Arthur, at my request, sent my old law partner, Judge Zane, to be territorial Chief Justice of Utah, where he still resides, a highly honored citizen. He at once began a vigorous assault on the violators of the law and, in common parlance, he "made it so hot" for polygamy that another revelation was promulgated, publicly, at least, relegating the practice, so far as it concerned the further contracting of plural marriages, to a grave somewhere within the confines of the Temple.

It is unnecessary either to impute sinister or to criticise obvious motives for this change. It came about under stress of dire necessity. That is sufficient. The significant feature is the fact that another revelation could as easily resurrect the principle, rendering polygamy again permissible, so far as the Church is concerned; if, indeed, the Church has ever really considered it in any other light.

It was under the conditions of the second revelation that Utah became a State. A proviso was inserted in the act, by the Congress, that anti-polygamy legislation should be enacted. It was enacted; but we know that from the first it has been ignored, in some cases at least—effectually proving that, when Statehood lifted Utah out of the jurisdiction of territorial law to be a law unto herself, the pungent force of the necessity which brought

about the second revelation was felt to be removed. There is conflicting evidence as to whether plural marriages are still surreptitiously performed, but no one denies that polygamous lives are still openly lived, right about the courts of justice.

It is not incumbent upon any one to remain there, if the laws conflict with his convictions or convenience. We may not question his right to follow the dictates of his conscience; but, where these come in conflict with the laws of the land, by which we must abide, we have the duty and we certainly ought to have the right to demand that he follow them somewhere else than among us. It is the common law of self-defence. We should defend our country at least as zealously from threatening menace as we would defend ourselves. If plural marriages still take place under Mormon auspices, if polygamous lives are still lived under Mormon protection, and if the State of Utah or any other State is unable or unwilling to cope with violations of the practically universal law, then surely there should be, as has already been proposed, a constitutional amendment giving Congress the power to make such a law absolutely universal, and then to enforce it. It is a practical proposition, for it is not the State of Utah, for example, but the United States, which suffers from such dishonor and disloyalty. It is one means by which we could forever do away with all of the associations of one of the two features of the menace of Mormonism.

The other menace lies in the spirit of hierarchy, and the extent to which its influence is possible, publicly or privately controverting the laws of the land and bending them to its purposes. It is not the abstract ethics of the Mormon Church with which we have the right to come into conflict, for, as a nation, we are pledged to freedom to worship God. Every man has the inalienable right to accept the faith which pleases him and to believe what he will; and I am ready to rest on the testimony that, in many of its details, the Mormon faith is a strong advocate of justice, righteousness and integrity. It is not improbable, as claimed for it, that the ethics of Mormonism include principles which, of themselves, tend to produce good men. If "by their fruits ye shall know them," then for sobriety, industry and thrift, the general characteristics attributed to Mormon communities speak well for the character of the dominance which has curbed and incited them; but it is not what a man believes, but the putting of his theories

into practice, if they conflict with law, which rightly demands public attention and ought to receive punishment when punishment is due.

If the hierarchy of the Mormon Church exists as it once existed; if it penetrates, as it once penetrated, into the affairs of citizenship; if it dictates, as it once dictated, courses of conduct at variance with the laws of the land under whose flag it claims protection and privilege—then it is a menace, and it is high time that we demanded reformation.

We cannot now, or at any time, too strenuously condemn polygamy, in any phase. We can never too earnestly denounce and combat the tendency of church hierarchy, or any hierarchy, to dominate law. We cannot, we must not, tolerate any philosophy, religion or code which sets the tenets of its organization above the Constitution of the United States; claiming or accepting, by an oath or by admonition, a deed, a devotion or a duty that is in conflict with the community of interests of the whole country, or with the constitutional commands of the State or of the Nation to which we all owe allegiance.

SHELBY M. CULLOM.

THE STATE OF PRIMARY EDUCATION IN IRELAND.

BY MICHAEL McDONNELL.

THE question of university education in Ireland, which seems not much nearer solution to-day than it did ten years ago, has by its urgency to a great extent distracted attention from the almost equally important matter of primary education in that country.

To understand the present state of education in Ireland, it is necessary to recall the fact that in the eighteenth century the Penal Laws proscribed "Popish schoolmasters," while the act of teaching, even in a private family, on the part of a Catholic was a felony; the great masses of the population were excluded from the schools that existed; and, in this way, the broad policy of the Government was to put down Popery by starving it of all education. When the Penal Laws had been repealed, no attempt was made to help in building up a system of education to make amends for the proscription which had been in force, and to dispel the ignorance of which it had been the occasion. In the eighteenth century, education had been denied to the people of Ireland; and, for more than the first quarter of the nineteenth century, no steps were taken to raise the people from the illiterate condition to which they had been condemned against their will.

The existence of Irish colleges, not only for the clergy but also for the laity, in the towns of France, of Belgium, and of Spain, to which those who could afford it sent their children during the years in which education was first proscribed and then neglected, shows clearly that the desire was not wanting and the means to obtain it all that was lacking.

This is the more striking when we remember that to have been educated abroad incurred, upon conviction under the Penal Laws,

legal disabilities to sue in Law or Equity, or to inherit; and forfeiture for ever of all goods and chattels. "The tender and incapable age of such a person," wrote Edmund Burke, "his natural subjection to the will of others, his necessary, unavoidable ignorance of the laws, stands for nothing in his favor."

The first step towards educational improvement was taken in 1833. Catholics and Protestants alike wished for denominational education; but the English people, having abandoned the policy of proscription and of neglect, could not accept a system which would have satisfied the whole country, and established it on the principle of "united secular and separate religious instruction."

"What you refuse," Grattan once said, "refuse decently: what you give, give graciously." Can any Englishman claim that education in Ireland was either refused decently or given graciously? The Board of Control was composed of four Protestants and two Catholics, though the Protestant population was but one-fifth that of the whole country. Archbishop Whately, an English Protestant, and Mr. Carlile, a Scotch Presbyterian, were the two men in whom was placed the chief power to organize the education of Ireland. The Archbishop said frankly that he regarded his position as affording opportunities for proselytism; and he improved the occasion by trying to Anglicise the children by the books which were prepared for use, in one of which occurs the following stanza from His Grace's pen:

> "I thank the goodness and the grace
> That on my birth have smiled,
> And made me in these Christian days
> A happy English child."

One must realize the fact that these lines were written just after Catholic Emancipation had been secured, in fulfilment of a promise over thirty years old, to appreciate the contrast between the smug feeling of self-satisfaction which obviously inspired them and the spirit in which the Irish child must have read them.

As regards the undenominational nature of the schools, the English Government might propose, but the Irish people were able to dispose, so that the whole tendency has been against schools attended indiscriminately by Catholics and Protestants. In 1899, out of some 8,700 schools, more than 5,000 were attended by

children of one religion only; and of these 4,000 were Catholic schools, the rest being Protestant.

The inability of England to legislate in a sympathetic spirit through lack of knowledge of Ireland is well illustrated by the attempt which was made, albeit unsuccessfully, to establish in Ireland an undenominational system, against which both Catholics and Episcopalian Protestants protested.

The vicious circle in which anti-Irish agitators argue is exemplified by what one may call the "appeal to illiteracy" argument which ultra-Unionists so often make use of in speaking and in writing. "You are ignorant and, therefore, you are not to be trusted," they say in effect; to which Ireland may well reply: "Our ignorance, indeed, is our misfortune, but who will deny that the fault is most emphatically yours? How often, when we asked for bread, did you not give us a stone?"

The census of 1901 showed that, of persons over five years of age in Ireland, no less than 13.7 per cent. could neither read nor write: the percentages in the various provinces were 11.3 in Leinster, 12.5 in Ulster, 14 in Munster, and 20.7 in Connaught.

The children in Scottish schools attend on 85 per cent. of the days on which the schools are open, in English schools on 84 per cent., and in Irish on 65 per cent. In considering these figures we must realize one fact, namely, that in England compulsory attendance has been enforced since the Education Act of 1876, while it was not till 1892 that an Act relating to Ireland created powers to establish School Attendance Committees who could legally force children in their districts to attend. Advantage has been taken of the provisions of this Act to a large extent in urban districts, and to a far smaller degree in the country parts.

In addition to the National Schools, which we have mentioned as having become to a great degree denominational, there is another class of primary schools in Ireland known as "model schools." These are undenominational; they are thirty in number, and they were founded, as their name implies, to serve as models of national education. An English Inspector of Schools, who recently published a report on Primary Education in Ireland, has declared that in respect of school premises alone can they claim superiority; in point of education they are not above the National Schools, and the expense of maintenance is greater.

The model schools in the Protestant districts, such as Belfast,

Londonderry and Omagh, are well attended. For fifty-five years, the Catholic Hierarchy have looked askance at them on the ground of their undenominationalism; and, in consequence, if we except those in Dublin, Cork and Trim, the number of Catholic children attending these schools is insignificant. The result is that we have a state of affairs varying between that of the Clonmel school for girls, which with accommodation for 184 children has an average attendance of 54, and the condition of the Kilkenny mixed school, with an average attendance of 51 and room for 515 children. When, in addition to model schools, Protestant National Schools are also present in the town, the state of affairs is even more striking; for example, the boys' model school at Waterford will accommodate 369, and the average attendance is 29. In cases such as this, where several Protestant primary schools exist in the same town, there can be no possible excuse for the waste of public money entailed in the maintenance of the model school; and, even in cases in which the latter form of school affords the only education which Protestants will accept, the use of buildings utterly disproportionate to the number of pupils is in a similar degree extravagant, though not to so great an extent inexcusable.

The average annual maintenance expenditure per child in Ireland, £2 11*s* 6*d*, is approximately equal to the cost in England, Scotland and Wales; in the model schools, the average charge per child is no less than £4 10*s*; and, in the case of individual schools, it rises to £6 or £7.

The existence of the model schools is not the only factor which tends to a multiplication of small schools in Ireland; the desire for denominational education has led to such a state of things, and the differences between the several Protestant sects have led to the further establishment of schools. It has been estimated by the Inspector already mentioned that there must be at least eighty schools in the country which are not required, even to provide separate education for Catholic and Protestant children.

The centralized control of the Board of National Education in Ireland appears to entail the disadvantages of such a system without securing any of its advantages. In England, the State hands over a capitation grant to the School Managers, and the responsibility is left to them of distributing the money among the various items of expenditure, such as teachers' salaries and upkeep

of the premises. It is, therefore, to the interest of the Managers and local authorities to make the grant go as far as possible, especially as its amount is never great enough to maintain the school without some additional local aid derived from rates, endowment or voluntary contribution. The whole tendency of this system is to inculcate in the Managers habits of economy, since any extravagance creates a new charge on local funds.

In Ireland, it is only in the case of the 300 Convent and Monastery Schools that a system of capitation grants is adopted. In the 8,000 other schools, the State Grant has been virtually allocated to the payment of the salaries of teachers, thus relieving the Managers from all responsibility and occasion for economy on that head, and leaving them with no further care than the maintenance of the school buildings. Since the payment of salaries forms the largest charge, control of the schools has in Ireland been in a great measure divorced from financial responsibility, and this fact again has led to the multiplication of schools throughout the country, for the State, and not the locality, suffers most from the extravagance which this entails. The local authorities then have had no responsibility, and the Board has had no control over the purse-strings; while the latter has, in addition, where its power does extend, given rise to anomalies inseparable from centralized and inelastic rule, such as are well illustrated by the ridiculous case of the Belfast street boys who gained the highest marks in the country in an examination on Agriculture.

The increase in schools which the present system encourages has a direct bearing on the salaries which the teachers are paid. Numerous small schools, no doubt, offer inducement to more people to enter the teaching profession; but the general standard is bound to suffer from the absence of anything like the same number of well-paid posts as exist in England and Scotland. The average payment to head teachers in the latter country is 75 per cent., and in England 48 per cent., higher than it is in Ireland. Another advantage of the capitation system is that it offers to a locality a direct financial inducement to improve the attendance of children at school.

The poor attendance at school in the country parts of Ireland, to which we have already referred, is due in large measure to the greatness of distances, the wet climate, and the need for the children's services in the home and on the land. In England,

under what is known as Robson's Act (1899), local authorities can exempt children employed in agriculture from school attendance during certain periods, provided that they complete a prescribed number of attendances during the other months of the year. In Ireland, any extension of the principle of compulsory education would emphatically need to contain a saving clause such as this, owing to the migration of labor for English and Scottish harvests which annually creates a demand for work on the part of the children. Any attempt to extend compulsory education without some such proviso would render education unpopular.

The difficulties arising from distances and weather might be modified by the extension to Ireland of the principle which has been adopted in England, giving powers to the local authority to provide covered carts for the purpose of conveying children to and from school.

The National Board in Ireland is composed of unpaid Commissioners, who can in no sense be called educational experts, and who are not in any way responsible to the public in the manner that the English Board of Education is responsible, through its Parliamentary Secretary. There is no connection between the National Board and those of Intermediate Education or of Technical Instruction, and so no means is in existence by which clever children can be passed on from the National to the higher schools.

The waste of public money resulting from the independence of these three Boards may best be shown in tabular form:

Out of every 20*s* given as Exchequer aid to Education:
In England and Wales 17*s* goes to education; 3*s* goes to administration and inspection.
In Scotland 16*s* 2*d* goes to education; 3*s* 10*d* goes to administration and inspection.
In Ireland 13*s* 6*d* goes to education; 6*s* 6*d* goes to administration and inspection.

From these figures one can draw a not very edifying conclusion, namely, that, in educational matters, public extravagance is in inverse ratio to the prosperity of the country. In Ireland, the total cost for administration and inspection under the three Boards is £120,000, the similar charge on Scotland is exactly half that sum; and yet Scotland prides herself on her education, and Ireland is taunted with her illiteracy.

MICHAEL MCDONNELL.

THE NEW GERMAN CUSTOMS TARIFF.

BY N. I. STONE, TARIFF EXPERT IN THE BUREAU OF STATISTICS.

ON March 1st, 1906, the new German tariff will go into effect, and thereby mark the opening of a new chapter in the commercial relations between the most progressive and aggressive country on the European continent and the nations with which it is doing business. The importance of this event can hardly be overestimated.

The close commercial intercourse among modern nations has brought about such intimate interdependence between the leading countries of the world as to make any change in the commercial policy of one of them immediately felt among the rest. This is particularly true of Germany. In the last fifteen years, the Empire has given a practical demonstration of its ability to exert a potent influence on the commercial policies of most of the European countries. As will be shown in this article, she has managed to become the centre of a tariff system, of which the other European countries are constituent members, so that any important change in the German tariff immediately results in corresponding changes in the tariffs of the other countries. As for the bearing of the new German tariff on the interests of the people of the United States, the mere fact that Germany is our best customer, after Great Britain, is sufficient to show the vital importance to our trade of any serious changes in the tariff policy of that country. As an indication of the sentiment entertained on that subject in Germany, the following statement by Richard Calwer, an exceptionally well-informed member of the German Reichstag, is significant:

"The shaping of the schedules of the new customs tariff is influenced to a high degree by the regard for American competition. It is no extravagant statement to say that the continuance of the middle-European

commercial treaties in the direction of freer trade depends on the attitude of the Union in the matter of tariff policy."

This was said in 1902, while the new tariff was in the course of preparation.

How deliberately the Germans go about their tariff policy; how thoroughly they study all the strong and weak points in their adversaries' positions; with what scientific care they measure their own manifold interests; how carefully they guard, in their work of tariff legislation, against disturbing the stability of existing business conditions may best be seen from the way in which the new tariff has been adopted. As early as 1898—*i. e.*, more than five years before the expiration of the old tariff treaties—a Commission of government experts and leading representatives of the industrial and commercial interests was organized to make a detailed study of the needs of every industry whose products were in any way affected by the tariff. After five years of incessant work of that character, in which more than 2,000 experts took part, the new general or so-called "autonomous" tariff was enacted into law (but not put into effect) by the German Reichstag.

The new tariff law adopted on December 25, 1902, with rates considerably raised, formed the basis of diplomatic bargaining, of which it took more than two years to conclude commercial treaties with the following seven countries: Austria-Hungary, Russia, Italy, Switzerland, Belgium, Roumania and Servia. These treaties, which considerably reduce some of the rates provided for in the tariff of 1902, were enacted into law on February 22d of this year, and together form the new so-called "conventional" tariff, which will be applied to all countries enjoying "most favored nation" privileges. Deliberate and cautious as these steps have been, the new tariff is not to be thrust upon the business community of the Empire on short notice, but the country is given one full year in which to adjust itself to the new rates. Hence the date for giving effect to the new tariff law has been set for March 1, 1906.

Such, briefly told, have been the leading steps in the concluding chapter of tariff legislation, which has fixed the commercial relations of the German Empire to the rest of the world until the end of 1917 beyond the possibility of serious change.

The newly concluded treaties are the second series of their kind, those at present in force having been the first since the

formation of the Empire. To understand why Germany is so well pleased with its policy of treaty-made tariffs, it is necessary to go back to the time of the inauguration of its protective tariff system. This will not only give us an insight into the motives governing the influential spheres of the Empire in making the successive changes in the imperial tariff system, but will enable us to understand the considerations which are likely to guide the Empire in the impending negotiations with the United States.

The tariff history of the German Empire may be summed up under the following three heads: (1) Free-trade period, 1870-79; (2) Protective autonomous tariff, 1879-1891; (3) Commercial treaties, 1891 to the present time.

The German Empire started out with what might be called a free-trade policy, which it had inherited from the old régime. But the rapid development of its industries, and the appearance of American and Russian grain in competition with the native products, soon created a demand for protective duties which could not be long ignored, when called for by city and country alike.

As a result of that, Bismarck found it advisable to give up his free-trade policy, and was instrumental in getting through the Reichstag the protective tariff of 1879, which forms the basis of the German tariff to-day. Under the protection of the new tariff, the German industries made rapid strides, which soon placed that country in the front rank of modern industrial nations. Soon Germany was not only able to supply a great part of her own wants, but with incredible rapidity her manufactures entered one foreign market after another on the European continent, as well as in other parts of the world.

This brilliant success, in so far as it may be ascribed to the effect of the tariff, was due not only to the protective tariff of the German Empire, but also to the absence of protection in all of the European countries, with the exception of Russia and Austria-Hungary. For this combination of exceptionally favorable conditions, Germany was indebted to three causes: (1) the Frankfort treaty with France; (2) the liberal tariff policy of France; and (3) the "most favored nation" treaties with other European countries.

The Frankfort treaty of peace, concluded between France and Germany in 1871, provided among other matters that any

tariff concession made by either of the two countries to England, Austria, Russia, Belgium, Netherlands or Switzerland, was to be immediately and unconditionally extended to the other. France, having inherited from the régime of the Third Empire the system of commercial treaties based on low import duties, was thus compelled by the Frankfort treaty to grant the same terms to Germany. At the same time, the other European countries, which by virtue of their commercial treaties with France, had also reduced their duties for the time being, were compelled to admit at the same low rates their imports from Germany, owing to the "most favored nation" treaties which they had with that Empire. The result was that Germany could with impunity shut out foreign imports from her domestic market, while obtaining practically free admission for her manufactures to all the European markets, except Russia and Austria-Hungary.

Russia, like the United States, held aloof from the commercial agreements then so much in vogue among the European Governments, preferring to regulate her commerce in accordance with her own views of its interests. This she did with such telling effect that Russia's imports from Germany dropped from 228 million marks in 1880 (the year following the adoption by Germany of her protective tariff) to 129 million marks in 1892; Austria-Hungary was also in a position to retaliate.

The selfish policy of Germany could not fail to arouse resentment among the other European nations, especially in France, who saw herself rapidly pushed to the rear by her victorious adversary. As soon as her commercial treaties reached their time of expiration in 1892, France gave notice to the world that henceforth she would return to the policy of autonomous regulation of the tariff. The other countries followed suit, all preparing to revise their tariffs on a protective basis. Germany was now confronted with the prospect of having her Russian experience repeated in the other foreign markets. This she could ill afford to permit, since the very existence of several of her industries had come to depend on the continued patronage of her foreign customers. Something had to be done at once to prevent such a calamity, and the only means at the disposal of the German government was the scaling down of its own tariff rates as the price of similar favors on the part of the foreign governments. Such was the origin of the commercial treaties of 1891, which in-

augurated the system of the so-called "conventional tariff" in Germany. By this arrangement, the protective tariff of 1879 remained in force as the general or autonomous tariff of the Empire, to be applied to countries having neither a commercial treaty with Germany nor a "most favored nation" agreement, while the conventional tariff was to be applied to the other countries.

Thus Germany supplanted France as the centre of a European customs system, the members of which guarantee to each other preferential rates, which are settled beyond the possibility of change during the life of the treaties. The preference, however, is not limited to the members directly entering this loose alliance, but is extended to any other nation enjoying "most favored nation" treatment.

Her industries having attained sufficient strength under the protective policy to be able to withstand the competition of foreign countries, and needing an outlet in foreign markets because of the high degree of development they had reached under that system, Germany could well afford to inaugurate the change. So sure was she of the advantages of the new policy that she insisted on a mutual binding of the respective tariff rates agreed upon in her treaties for a period of twelve years, thus insuring to her industries a long period of stability and certainty, so far as the tariffs at home and in the principal foreign countries were concerned.

Subsequent events proved the wisdom of the German policy. From $756,000,000 in 1891, her exports of domestic products rose to over $1,295,000,000 in 1904, an increase of more than 71 per cent. During the same period, the domestic exports of France increased from $689,000,000 to $895,000,000, or less than 24 per cent., in spite of her autonomous high tariff; and of Great Britain, from $1,203,000,000 to $1,413,000,000, or about 17 per cent. Similar and even more striking figures could be cited in illustration of the growth of German commerce with the individual countries with which she entered into commercial agreements.

This growth of German exports was the result of the increase of the output of her manufacturing and mining industries beyond the needs of the population of the Empire. The agricultural products, though showing some increase, due partly to a very slight increase of the area under cultivation (a little over 3 per

cent.), and still more to improved methods of intensive cultivation, fell far short of supplying the needs of her growing population. The result was that Germany had to depend, in a rapidly increasing measure, on imported grain. This condition of affairs was clearly realized in 1891, at the time of the conclusion of the commercial treaties; and, as the price of cereals was at the time quite high, and a reduction of the high duties on cereals was urgently demanded by Austria-Hungary, Roumania and Russia, the duties on agricultural products were considerably reduced.

However, no sooner had the new tariff gone into force than conditions in the world markets changed, and the prices of agricultural products greatly declined. This had the effect of stirring the German landlords to renewed political agitation for protective duties on agricultural products. In no country of Western Europe does the landed aristocracy retain its political power and influence to the extent it does in Germany, and especially in Prussia. At the Court it practically has no rival; all the positions of command and honor in the army are in its grasp; all that is most influential and desirable in the bureaucratic machine of the Prussian Kingdom and the German Empire is in its undisputed possession. Having the ear of the Emperor, whose direct influence on legislation is greater than that of any other constitutional monarch in the world, skilfully and persistently fanning the agitation among the rural population of the country, which has a representation in the German Reichstag out of proportion to its numerical strength, and using all its social and political advantages, the German aristocracy was able to bring the government around to its point of view, and make the question of protection of the agrarian interests the paramount object of the government's solicitude in framing the new tariff.

Bearing in mind these facts, it will be easy to follow out the important changes through the elaborate network of the new German tariff. There is not an article of any importance in the agricultural list that can be produced at home the duty on which has not been raised. The duty on wheat, for instance, has been raised from 3.50 marks per 100 kilos in the present conventional tariff to 7.50 marks in the new autonomous tariff, or more than 114 per cent.; on corn from 1.60 to 5.00 marks, or 212 per cent.; on flour from 7.30 to 17.75 marks, or 156 per cent.; on bacon from 20 to 36 marks, or 80 per cent.; on lard from 10 to 12.50

marks, or 25 per cent.; on hops from 14 to 70 marks, or 400 per cent. Several products formerly on the free list have now been made dutiable; thus, potatoes, formerly admitted free, will now be subject to a duty of 2.50 marks per 100 kilos; other vegetables, like tomatoes, asparagus, mushrooms, melons, etc., also formerly admitted free, are put under a duty of 20 marks per 100 kilos, when imported in a fresh state, and 40 marks, if dried or otherwise prepared; several varieties of flowers, plants and fruit have met with a similar fate.

In the case of manufactures, owing to the radical changes in the classification adopted in the new tariff, no such exact comparison of old and new rates can be made. One thing, however, becomes apparent at a glance, and that is the absence of such sweeping changes in a uniformly upward direction as are found in the agricultural schedules. A number of rates have been advanced, especially those affecting articles in which the United States has recently begun to compete in European markets, such as boots and shoes, certain kinds of machinery, especially of the light-weight varieties, hardware, tools, motors, bicycles, sewing-machines, typewriters, etc. The agrarian protectionists were only too glad to grant higher rates to the manufacturers, in order to get the support of the powerful industrial syndicates for their own measures. But, unlike the rates in the agricultural schedules, side by side with increases there are also reductions, while a very large number of rates remain unchanged. This is not surprising, since increased protection to manufactured products did not furnish the motive for tariff revision. Confident of their ability to hold the home market, the manufacturers were not so much after increased rates of import duty as after more favorable rates in foreign markets on German manufactures.

It is but natural that, under those conditions, the manufacturing and commercial classes have been less pleased with the results of the tariff than the agrarians. As pointed out by Dr. Soetbeer, the able General Secretary of the Association of German Chambers of Commerce, the average rate on agricultural products under the present conventional tariff, according to official figures, is about 21 per cent. *ad valorem;* while that on manufactured articles is only 10 per cent. The new tariff will tend to make that contrast still greater.

It will be noted that, in making the above comparison, the

rates quoted were from the present conventional and the new autonomous tariffs. This was done in order to indicate the increase in tariff taxation to which the exports from this country would be subject, if the German government were to apply the autonomous tariff to imports from the United States. The conventional rates as fixed by the new treaties, while considerably above the present conventional tariff, are much lower than the autonomous rates.

The question the American people are most interested in is as to the possible effect of the new tariff on our exports to Germany. It has been pointed out above that Germany is our largest customer, after Great Britain. Our export trade to that country has been growing at a rapid rate, having risen from $93,000,000 in 1891, to $215,000,000 in 1904, or more than 131 per cent.; while our imports from that country during the same period rose from $97,000,000 to $109,000,000, or slightly more than 12 per cent. The leading part in this export trade belongs to agricultural products, cotton alone exceeding one-half of our exports, and with wheat, corn, tobacco, flour, lard and a few other products of a similar kind, making up fully three-fourths of our entire export trade with Germany. The balance consists largely of crude and semi-manufactured products, such as leather, lumber, fertilizers and petroleum; the few manufactured articles, such as machinery, bicycles, typewriters, boots and shoes, playing but a secondary part. In making up the accompanying table, the most important articles of our export trade with Germany have been selected as nearly as they could be made to correspond with the classification adopted in the German tariff, indicating the rates of duty to which they are subject at present when imported into Germany and those they will have to pay after March 1st, 1906, under the autonomous and the conventional tariffs respectively.

The point to be considered next is the relation between the autonomous and the conventional rates of the new tariff. While the conventional rates indicate the minimum extent of disadvantage to which all foreign countries will be subject in the German market in competition with German manufacturers, the excess of the autonomous rates over the conventional rates shows the additional disadvantage a country may find itself at, in its competition not only with the native industries, but also with foreign competitors enjoying the lower rates. If wheat coming

Principal articles exported from the United States to Germany, and rates of duty under existing tariff of that country, compared with the autonomous and conventional tariffs which will go into force March 1st, 1906:

Articles exported.	Value in 1904.	Present tariff on imports from United States.	New autonomous tariff.	New conventional tariff.
		Rate per 100 pounds.		
	Million dollars.	*Dollars.*	*Dollars.*	*Dollars.*
Cotton	109.0	Free.	Free.	Free.
Corn	7.2	*a*0.10	*a*0.31	*a*0.19
Wheat	6.0	*a*.23	*a*.49	*a*.36
Tobacco	5.0	9.19	9.19	.....
Lard and tallow	15.6	1.09	1.36	1.09
Copper	11.3	Free.	Free.	Free.
Petroleum, refined	7.2	.65	1.08	.65
Petroleum, lubricating	1.6	1.08	1.08	.65
Paraffin	.9	1.08	1.08	.86
Oil cake	4.1	Free.	Free.	Free.
Flour	2.2	*b*1.55	*b*4.00	*b*2.17
Bacon	1.0	2.16	3.89	.....
Beef, fresh	.....	1.62	4.87	2.92
Beef, salted, etc	.4	1.84	6.45	2.92
Apples, dried	1.2	.43	1.08	.43
Apples, fresh	.9	Free.	.27	.....
Prunes, dried	.8	.43	1.08	.65
Oranges	.....	.43	1.30	.35
Cottonseed-oil	1.1	1.08	1.35	.....
Rye	.....	*a*.21	*a*.42	*a*.30
Lumber, soft, sawed	2.2	*c*1.14	*c*1.79	*c*1.14
Logs	1.2	*c*.29	*c*.29	*c*.17
Furs and fur skins, raw	1.4	Free.	Free.	Free.
Hides, half-dressed	.....	1.95	3.25	3.25
Leather	.8	1.95–3.90	3.90–8.65	.....
Phosphates, fertilizers	2.6	Free.	Free.	Free.
Rosin and turpentine	3.3	Free.	Free.	Free.
Sewing-machines	.9	2.60	3.79	.....
Typewriters	.9	2.59	6.49	.....
Machinery	2.5	.27–1.30	.32–2.16	.....
Boots and shoes	.4	5.41	*d*9.19–19.47	*d*6.49–9.74
Builders' hardware	.9	.65–2.60	.65–2.16	.....
Bicycles	.1	2.59	16.19	10.79

a Per bushel. *b* Per barrel. *c* Per cubic metre.
d Rate decreases as weight of boots or shoes, per pair, increases.

from the United States were to be subject to a duty of 49 cents per bushel (according to the autonomous tariff), while Russian and Hungarian wheat paid only 36 cents (the rate to which those countries will be entitled under the treaties now concluded), it does not require any elaborate calculations to tell in what country

the German importer will prefer to place his order. The same reasoning applies to other articles even with greater force. For, while the excess of the autonomous rates over the conventional is only 36 per cent. in the case of wheat, it is as much as 50 per cent. in that of bicycles; 63 per cent. for corn; 66 per cent. for petroleum; 84 per cent. for flour; 100 per cent. for some kinds of shoes, etc.

Which of the new tariffs are the imports from the United States likely to be put under? is the question which now agitates the business men of this country. A brief review of the lines of action which have so far marked the relations between the two countries in this special field may be helpful in clearing up the leading considerations actuating their respective governments. Two principal factors have entered into those relations: the actual mutual obligations imposed upon the two countries by the treaty stipulations now in force, and the respective interpretations of the "most favored nation" clause governing the commercial relations of the two countries in a general way. As to the former point, what is officially known as the "Commercial Agreement between the United States and Germany," of July 10th, 1900, is the "law of the land" in both countries. It was concluded under President McKinley by virtue of Section 3 of the Dingley Act of 1897, which conferred on him the authority of entering into such agreements without submitting them for ratification to the Senate. The section referred to authorized the President to grant the following special rates, representing concessions ranging from 12½ to 25 per cent. on articles which cannot be said to be of vital concern to American industries:

"Upon argols, or crude tartar, or wine lees, crude, five per centum ad valorem." (Regular rate, 1 cent per pound.)

"Upon brandies, or other spirits manufactured or distilled from grain or other materials, one dollar and seventy-five cents per proof gallon." (Regular rate, $2.25 per gallon.)

"Upon still wines, and vermouth in casks, thirty-five cents per gallon" (regular rate, 40 cents); "in bottles or jugs, per case of one dozen bottles or jugs containing each not more than one quart and more than one pint, or twenty-four bottles or jugs containing each not more than one pint, one dollar and twenty-five cents per case" (regular rate, $1.60), "and any excess beyond these quantities found in such bottles or jugs shall be subject to a duty of four cents per pint or fractional part thereof" (regular rate, five cents), "but no separate or additional duty shall be assessed upon the bottles or jugs.

"Upon paintings in oil or water-colors, pastels, pen-and-ink drawings, and statuary, fifteen per centum ad valorem." (Regular rate, twenty per centum.)

In return for these concessions, the German government extended "to the products of the United States, on their entry into Germany, the tariff rates which have been conceded by the Commercial Treaties concluded during the years 1891-1894 between Germany, on the one part, and Belgium, Italy, Austria-Hungary, Rumania, Russia, Switzerland and Servia on the other part;" and agreed, moreover, to "annul the regulations providing that the dried or evaporated fruits imported from the United States into Germany be inspected on account of the San José scale."

That Secretary Hay got the better end of the bargain may be seen from the fact that in none of the other treaties with France, Portugal and Italy, in which the same concessions were made to those countries on our part, as in the above agreement, were any such sweeping concessions made to us in return, although both France and Italy have minimum tariffs similar to the conventional tariff of Germany, which they extend to "most favored nations;" and Portugal has also quite an extended list of articles on which special rates of duty are levied when imported from "favored nations."

As most of the imports into Germany from the United States enter into competition with the agricultural products of that country, the concessions made to us have served to irritate most the powerful agrarian interests of the Empire. In the last few years, a vigorous agitation has been carried on in Germany against the extension of the "most favored nation" treatment to the United States, on two grounds: first, that the tariff concessions at present granted to us are not adequately reciprocated on our part; second, that the interpretation of the "most favored nation" principle by the United States differs very radically from the European interpretation in general, and the German in particular. According to the European interpretation of that principle, any concession affecting international commerce and navigation, whether in the matter of tariff rates, or the treatment of citizens doing business in foreign countries, or any other matter falling within the wide scope of commercial activity, when made by one country to a second country, must *ipso facto* be extended immediately, and without any compensation in re-

turn, to all the countries with which the first country has "most favored nation" agreements. The United States, on the other hand, has consistently and steadfastly refused to acquiesce in that broad interpretation of the principle, and has uniformly insisted that any concession made by it to any country in return for equivalent concessions would be extended to countries enjoying "most favored nation" treatment, on the sole condition that similar or equivalent concessions be made to the United States by the countries claiming such treatment. It may be said, in passing, that while the construction put upon the "most favored nation" principle by the United States has been heretofore denounced in Europe as selfish and smattering of mediæval backwardness and exclusiveness, the best economic thought in Europe has lately come around to our view, as a result of very disappointing experience some of the European countries have had in the practical application of their theory.

Be that as it may, the fact remains that, for the present, the United States enjoys greater advantages in those European countries with which it has "most favored nation" treaties than it accords to them. So far, the German government has failed to act in accordance with agrarian wishes, and has continued to abide by the agreement of 1900, refraining at the same time from formally denouncing the treaty of 1828, which established "most favored nation" treatment between the United States and Prussia. According to the terms of the agreement of 1900, the latter may be terminated at any time after "three months from the date when either party shall notify the other of its intention to terminate the same." Since the seven treaties, on which our agreement with Germany of 1900 is based, will expire on March 1st, 1906, that date will also terminate our agreement.

The question which remains to be considered is, whether Germany will be willing to conclude a new agreement with us on similar lines, that is to say, to extend to us her new conventional tariff rates in return for the concessions authorized in Section 3 of the Dingley Act, enumerated above, which are the only ones the President has power to extend, in the absence of new legislation on the subject by Congress. Judging from the attitude of the German government in the Reichstag at the time of the discussion of the new treaties, and from the semi-official utterances on the same by members of the Reichstag Committee on Tariff

Treaties, it may be surmised that before the end of this year the German government will accompany its notice of the termination of the agreement of 1900 with a proposition to open negotiations for a commercial treaty on new lines.

Assuming, for the sake of argument, that the offer of the German government would be entertained on this side, what are the respective strategic positions of the two parties to the negotiations? In presenting the newly concluded treaties for ratification by the Reichstag, the Imperial Government admitted that the high duties on agricultural products in the new tariff have put it at a disadvantage in the negotiations with foreign governments. Says the official report accompanying the treaties: "In shaping the new conventional tariffs, one object, above all, served as the guiding rule, namely, to preserve as far as possible the increased protection of German agriculture, aimed at in the new autonomous customs tariff. This, on the whole, has been successfully accomplished." At the same time, the admission is made that "with the considerable increases in rates which have been preserved on the German side of the tariff agreements, especially on agricultural products, it was impossible to obtain again those favors to our export industries which are embodied in the treaties at present in force." These two utterances, from official sources, are sufficient to show the disadvantage at which the Germans find themselves in negotiating treaties on the basis of the new tariff. Even as they are, some of these treaties could not be concluded until the eleventh hour, countries having a considerable export trade in agricultural products proving the most intractable. Negotiations with Russia, for instance, had to be broken off, and, but for the difficulties that country got into later on through the war with Japan, probably would never have been brought to a successful termination, on the present basis. In the circumstances, it paid Russia to conclude the treaty, in consideration of Germany's moral and financial support. Similar difficulties were encountered in the negotiations with Austria-Hungary. The result of these adverse conditions to Germany was that, under the rates of duty agreed upon in the seven treaties mentioned, only seven per cent. of the total value of the present exports of Germany to those seven countries will be subject to lower duties than they are paying at present; 41 *per cent. will be subject to higher rates,* and 52 per cent. will continue to pay the old rates.

If the powerful German Empire had to content itself with such poor results in her negotiations with second and third rate Powers, like Switzerland, Belgium, Rumania and Servia, what will be the probable attitude of mind of her negotiators when they approach the United States?

Of the seven countries with which Germany has concluded her commercial treaties, Austria-Hungary is the only one which buys more German goods than the United States. Moreover, the imports of the United States from Germany are larger than those of Russia, Rumania and Servia combined, and almost as large as those of the three countries mentioned, with Italy's thrown in to the bargain. The value of the respective exports of Germany to Belgium and Switzerland is less than two-thirds of her exports to the United States. Of the total exports from Germany to this country, which amounted in 1903 to almost $120,000,000, $28,000,000, or less than one-fourth, were admitted free of duty, consisting mostly of raw materials required in our industries, while about $92,000,000, or more than three-fourths, were dutiable, being principally manufactured goods. On the other hand, cotton alone, which is admitted free to Germany, exceeds one-half of our exports to that country, and could not be subjected to a duty without disastrous consequences to the German cotton textile industries. In the negotiations for mutual concessions, the United States is therefore at an advantage, which puts us in a position to wrest substantial concessions on several of the articles of manufacture in which we are beginning to have a growing trade, in return for any concessions which this country would be willing to make. It should be borne in mind that the concessions made in the seven treaties under discussion do not by any means express the extreme length to which the German government may go. On the contrary, it is quite possible that the Imperial Government would be glad to make a number of additional reductions in its high tariff, in a treaty with this country. By so doing, it would please its own exporters who are clamoring for more favorable conditions for their export trade, as well as its manufacturers, since a number of reductions could be made from its duties on products used in the industries and arts, which the United States could supply in increased quantities at lower prices than now paid by German manufacturers and artisans. These include a wide range of goods, from machinery to hides.

Taking only the most important items of our export trade to Germany, it will be seen that on the following articles the United States could with advantage to our trade demand concessions in a conventional tariff, since they have not been affected so far by the conventional tariffs with the European countries: bacon, increase of duty 80 per cent.; fresh apples, formerly free, now subject to a duty of 27 cents per 100 pounds; cottonseed-oil, increase of duty 25 per cent.; leather, increase of duty from 100 to 150 per cent.; sewing-machines, 46 per cent.; typewriters, 150 per cent.; machinery, 60 per cent.

Another advantage we have over Germany should not be overlooked. Owing to our strict construction of the "most favored nation" clause, we may make any concessions to Germany that we find desirable, without being confronted with the necessity of extending unconditionally the same privileges to other countries, and thereby finding our calculations upset as to the possible consequences thereof to our trade. Germany, on the other hand, in making any concessions to this country, is thereby forced to extend them to all the countries with which she has "most favored nation" agreements. For that very reason, however, any concessions she would obtain from the United States would be of greater value to her than if we extended them indiscriminately to all of her competitors.

These advantages on our side, in the event of actual treaty negotiations, should not blind us, however, to the one salient feature of the situation created by the new German tariff, which is the imminent crippling of our trade with Germany in lines in which we have not a world monopoly, if the new autonomous tariff is applied to our exports to that country.

N. I. STONE.

P. S.—My attention has been called by the Italian Embassy to an inaccuracy in my article on the "International Aspect of our Tariff Situation" in the March issue of the REVIEW. On page 392 of that issue, the following statement appears: "Here, too [in Italy], we enjoy lower duties on a limited number of our products only, while paying the maximum duties on the rest of our exports." This statement was based on the Reciprocity Agreement with Italy, proclaimed by President McKinley, July 18th, 1900. While that agreement binds Italy to give us the lower rates specified therein on a limited number of articles only, the Italian Government, as a matter of fact, accords the minimum rates of duty, granted to most-favored nations, to *all* imports from the United States.—N. I. S.

OUR FAILURE IN PORTO RICO.

BY ROY STONE.

"SAN FRANCISCO, *Nov. 25th.*—Santiago Iglesias, representative from Porto Rico, addressed the delegates of the American Federation of Labor to-day, and said that the condition of the workmen in his native land was worse under the present régime than under that when Spain was in power. He averred that 600 Porto-Ricans died each month from starvation."—*New York Times*, November 26th, 1904.

"A responsible contractor of San Juan quotes common labor at 30 cents per day of 11 hours, and mechanics at $1, and adds: 'Laborers are so hard up you can get any amount of them. They will have little or nothing to do, now that the coffee crop is gathered (November), *till next August* when it begins again.'"—*The Expansionist*, February, 1902.

"I found many thousands of people out of work and in distress . . . an army of idle workmen."—*Mr. Samuel Gompers*, 1905.

"Value of merchandise exported from Porto Rico for 2 years before the American occupation, $36,051,632; same for 2 years after occupation, $16,769,040."

THE American people will find it hard to believe the foregoing statements or conceive the conditions they represent, and especially hard to realize that all their good intentions toward the people of Porto Rico have so utterly failed of accomplishment. In all the history of the growth of our country, there never was felt so deep a concern for the welfare of any newcomers under our flag, nor was there ever a more urgent and unanimous mandate issued to the Government to provide liberally for the prosperity and happiness of any of our own new-born States or Territories. And the Porto-Ricans deserved it all. We did not have to buy the Island and fight its people, as we did the Philippines and Filipinos. The Porto-Ricans came to us gladly, and all who could find arms fought for us against Spain. They have waited patiently for the promised blessings to show themselves, wondering all the while why as a part or even an appendage, of a great,

rich, enterprising nation they should be poorer than ever; and why they were obliged to choose between starvation and the distant exile into which many thousands have actually been driven to make a living.

Is it strange that after five years of this misery the Islanders look back with regret to the "good old Spanish days," when, although plundered and oppressed, they had work and food?

True, we have given them probably the best government, and certainly the cheapest, in the world; they have American protection without American taxation; they even receive for themselves the customs revenue, which in the States goes into the National Treasury. True, our Government and our people have bestowed liberal relief and assistance in their time of affliction; peace and good order are secured to them; education and sanitation are well provided for; justice is administered as never before, and the honesty and industry of the American officials are a constant wonder to the Island people.

What, then, do they lack? And why do they lack anything?

A little bit of history will answer these questions; and, strangely enough, will make it appear that they have been literally and actually "killed with kindness."

The Military Government.—Our occupation of Porto Rico began in 1898, and the Military Government held control for nearly two years. The greatest physical need of the Island was means of transportation. It had no railroads but a fragmentary Belt Line, which did not serve the interior districts, and only about 150 miles of wagon road for 3,500 square miles of territory. The fine fruits of the interior rotted where they fell, and only such crops were raised as would bear transport by pack-train or human porterage. But the Military Government was anxious to avoid scandals regarding franchises, and it discouraged all railroad-building, although abundant capital offered itself for that purpose. Indeed, the Governor volunteered his official opinion that railroads would never pay in an island so small and unproductive; not knowing, apparently, that at that moment almost the best paying railroad in the world was in a small tropical island, which had only a twentieth of the population of Porto Rico, and almost no production at all till after the road was built.

Civil Government.—But the opposition to railroads by the

Military Government was as nothing to the paralyzing obstruction later interposed by the Congress of the United States. The "Foraker Law" organizing the Civil Government was framed with the advice and assistance of many well-chosen representatives of the commercial and political interests of Porto Rico; and, when it was passed, these representatives went home contented and full of hope for the future of their beloved Island.

The Foraker Act became a law on April 12, 1900, and for a few weeks the prospects of Porto Rico were so bright that thousands of Americans were drawn toward the Island, and many American and European capitalists turned their attention that way. Preparations were made for investments which would have much more than replaced the Spanish capital withdrawn, and would have given work at good wages to every man on the Island. This, with the good government established, would have made the Porto-Ricans the happiest people on earth. It would, moreover, have given us credit for a grand success in Colonial Administration. The production of the Island would have multiplied tenfold, and free trade with the United States would have developed the Island's commerce without limit. The chief products of the tropics are in quick demand here, and no other tropical region except the Hawaiian Islands has free entry into this greatest market in the world.

At least ten million dollars was ready to go into railroad building, and as much more each into sugar, coffee, tobacco, and fruit growing. It is safe to say that fifty millions in cash would have gone into the Island on these lines by this time; nearly three times that amount has been invested in Cuba, where there is no prospect of free trade with the United States, and no such supply of cheap labor as in Porto Rico; nor is there any other superior inducement for capital or enterprise.

The Trust Spectre.—Unfortunately, however, these preparations for settlement and investment were so much in evidence, and so widely advertised by their promoters, that it was feared by some persons in the States that the people of the Island would be lost in the rush of migration, the land monopolized by corporations and business generally taken possession of by Americans. This danger was purely imaginary. The Porto-Ricans themselves had no such fears; they knew that American labor could not compete with their own in that climate, nor live on the wages paid there;

that the land was already largely monopolized by Spanish owners, but uncultivated for want of capital or enterprise; that land was not required by the agricultural laborers, and could not be profitably worked in small farms, but must be cultivated on a large scale with abundant capital, knowledge and skill; that their working classes only wanted employment at good pay, and that the trading classes could hold their own against any strangers.

But, unfortunately, this groundless apprehension was so strenuously urged upon members of the Committee on Insular Affairs of the House of Representatives that they were deeply impressed and only wanted the opportunity to protect the islanders by some legislation of their own devising.

The Committee was a strong one, composed largely of Chairmen of other Committees. These Chairmen, however, were busy with their own Committees, and the remaining members had a free hand in Insular Affairs; among them there happened to be some extreme advocates of capital restriction, and here was a chance to put their ideas in practice, and try them, on a people who had no voice in the matter.

Anti-Trust Legislation.—When the Civil Government went into operation on May 1st, 1900, several requisite appointments had not been made, and some officers of the Military Government were obliged to hold over; but this made these officers liable to lose their army commissions under the standing law on the subject, and it was necessary to suspend that law for this emergency. Senator Foraker, accordingly, introduced and passed through the Senate at once a joint resolution, exempting these officers temporarily from the action of that law. The resolution went to the House of Representatives and to the Committee on Insular Affairs, with the full expectation that it would pass in the House as promptly as in the Senate; but the Committee proceeded to tack on to this harmless, simple measure a complete code of regulations for franchises, and of restrictions upon corporate investment in the Island—such a code as never could have been imposed on any State or Territory in the Union.

The amended resolution was never discussed or understood in the House as being important, but was passed immediately and returned to the Senate, where Senator Foraker, Chairman of the Committee on Porto Rico, and others protested anxiously that the House Amendment endangered all that had been so gener-

ously done for the Island. But President McKinley was anxious about the army officers who were in danger of losing their commissions, and he urged the instant passage of the resolution, saying that it could be corrected, if necessary, later on. The Committee on Porto Rico reluctantly yielded to his request; the resolution passed the Senate as amended; and a million helpless people were doomed to bitter disappointment, a large share of them to dire distress, many to banishment from their homes, and others to a lingering death.

Restrictions on Corporations.—The situation at this moment was described in the "Expansionist" as follows:

"Unfortunately, the passage of the Foraker Bill a few weeks before had 'opened up' Porto Rico at a time of great buoyancy in business; and numerous companies, with fabulous capital, were understood to have been set afloat for the capture of everything in sight on the island,—lands, mines, railroads, water-powers, municipal franchises, etc., etc. It seemed to the House Committee, therefore, expedient to 'put up the bars' and keep Porto Rico from being ravaged by these modern pirates, as it was in ancient days by the buccaneers.

"The Foraker law had given to the Executive Council, a responsible body chosen by the President and confirmed by the Senate, and forming the Upper House of the Legislature, the *full power to grant franchises*, subject only to revision by Congress. The House amendment required the Council to put into the body of every franchise it granted every vexatious restriction and obstacle that any Populist legislature had ever devised; *and, when it came to the question of lands, it cut loose even from Populism.*"

American Methods of Business.—The American method of doing business away from home is through corporations. No man of large means would go individually from here to Porto Rico to engage in land operations, when much larger opportunities with surer profit were offered at home; and no man of small means could afford to go there for that purpose.

Even on the Pacific Coast of the United States, where there are vast fountains of natural wealth and a constant inflow of home-seekers and health-seekers bringing capital to invest individually, the greatest development of cultivation has been through corporations formed for the purpose of buying land and improving it with irrigation, drainage, roads, etc., and then selling it to actual cultivators in small parcels.

Porto Rico's Restrictions.—Porto Rico is forbidden to have any of this development. Here is the law in brief:

I. No corporation can buy and sell real estate there.

II. While it is necessary to have at least 5,000 acres of cane lands for a profitable sugar-mill, and many of those in Cuba and Hawaii have 20,000 acres, no corporation in Porto Rico can "*own* or *control* over 500 acres of land" for any agricultural purpose whatever.

III. No corporation of any kind can own any more land than it uses in its business.

IV. "*No member of any corporation engaged in agriculture shall be in any wise interested in any other corporation engaged in agriculture,*"—that is, a man who has a share of stock in a coffee company cannot buy a share in a sugar company without *breaking a federal law!*

The Result.—A few months' experience showed that these "bars" were too high, and it is no wonder that scores of incipient companies, forming for the legitimate development of Porto-Rican agriculture, died a swift death, when their counsel came to look up the law.

Effects of Restriction.—In consequence of this legislation, not a mile of new railroad has been built on the Island, excepting a short link previously begun by the French Company to connect up their belt line. The Council has repeatedly granted the best franchises the law permits; extensive surveys have been made throughout the island by various projectors and very satisfactory routes discovered, but the restrictions imposed have always made it impossible to secure capital for construction.

On this subject the "Expansionist" says:

"The Island lacks nothing in the world to make it prosperous but to be set free from these cruel and absurd shackles. Its own Legislature is abundantly competent to make its laws regarding lands, franchises, and corporations generally.

"As to railway franchises, this is a day of magnificent subsidies. Mexico gives $10,000 per mile in cash, and lands without limit; Canada does nearly the same; tropical countries, to offset their special risks, add mining rights and commercial monopolies to their inducements; while New York City, the home of capital, gets its rapid transit only through the greatest subsidy ever known, that is, by furnishing to the builder and owner the entire capital for construction and equipment. Porto Rico has no lands and no money and no rights to grant."

In addition to these drawbacks, the Council is obliged by the Amendment to put into every franchise it grants a provision that

the same shall be subject to "*amendment, alteration and repeal,*" that it shall enable the *taking of the property by the public authorities,* and the *effective regulation of all charges.* With these powers in the hands of a local, foreign and possibly hostile legislative body, the capitalist naturally hesitates to invest.

Industrial Effects.—Sugar-making in Porto Rico is extremely profitable as compared with that in Cuba, which pays higher for labor and is subject to about $25 per ton duty in the United States. It would have been natural that a dozen or twenty great sugar *centrales* should be running in Porto Rico by this time, and probably that number of sites have been selected by American, French, English, and German capitalists; but only one company has been willing to defy the law of the United States and organize openly for the purpose; another party operates lamely as a syndicate, not being able lawfully to incorporate. The Island should produce a half-million tons of sugar annually, but only reaches about 100,000, or much less than in its palmiest Spanish days.

The same conditions obtain in all other lines of business, and the commerce of the Island is actually much less under American than under Spanish rule, though, of course, that with America has increased with free trade there.

For coffee, which was the chief product and export of the Island, the Spanish market was almost lost by the interposition there of a heavy duty; and no market has been found in the United States. Fruit-growing requires a large capital and years of waiting. Tobacco cultivation and manufacture need abundant means and great skill to rival the well-established industry in Cuba. Winter vegetables would be extremely profitable with quick transit to the States, but transit waits on production, and production on transit, and both on capital and enterprise.

Is it strange, then, that the rich soil of the Island is growing jungle, and the hearts of the people filled with discontent?

Why Does the "Embargo" Continue?—It would have been so easy to remedy all this by a simple repeal of the resolution, after its original purpose had been served, that one wonders why it has not been done long since. The people and friends of Porto Rico have beset the Committee for years, asking its repeal, but the laws of the Medes and Persians were not as immutable as this hasty and unconsidered enactment.

Whether the Committee still believes its "protection" is neces-

sary; whether it is reluctant to take the back track; or whether it is afraid of being esteemed a "tool of the Trusts," no one knows. But the mischief it has unwittingly done can still be repaired, though it may take many years to restore the happy prospect of four years ago. The Porto-Ricans have lost faith, and the Americans have lost interest; the substantial conditions, however, remain as favorable as ever, and time and opportunity may revive the brightest hopes ever entertained for "Puerto Rico," the "Rich Gate" of the West Indies and the Spanish Main. Some of these conditions, and some of the dreams of the Island's future once cherished by the writer, may serve to lighten this gloomy picture of "Porto Rico as it is."

Porto Rico's Expectations Before the Embargo.—The following memoranda were made by the writer in the spring of 1900, before the "restrictions" were imposed:

"I. We import into the United States annually nearly $300,000,000 worth of tropical products, mainly from countries much more remote than Porto Rico.

"II. Porto Rico is the only tropical territory belonging to the United States except Hawaii, which is too far distant to be of any importance to the Atlantic Coast. It is also the only tropical region, again excepting Hawaii, which has free trade with the United States.

"III. Under the present tariff, free trade is an enormous bounty on many tropical products. For instance, on oranges and other citrus fruits the tariff is one cent per pound, which on a mature orange grove in good condition would amount to at least $200 per acre for each crop of fruit.

"IV. Labor in the Island is very cheap, and will always be abundant. American conditions of security for the returns of labor, and enterprise for the employment of it, will attract laborers from all the other islands and from the near-by mainlands. The native labor is very good considering the climate; the writer employed some thousands of men in road-making during the Spanish War, and found them remarkably faithful and efficient.

"V. Cultivation in Porto Rico can be devoted almost entirely to exportable crops. The Island cannot afford to grow its own food, since by growing more valuable products for exportation it can import its food-supplies in quantities much greater than it could raise. For instance, one acre of winter vegetables sold in New York will buy at least ten acres of potatoes, beans, etc., grown in the States; one acre of sugar will buy from eight to twelve acres of wheat; an acre of oranges, bananas or pineapples will buy ten to twenty acres of corn or cotton.

"The new conditions of the Island,—that is, the opening of trade with the United States, freedom, good government, and free importation of food from the States,—will enable it to support a population more dense,

perhaps, than any other region in the world. Certainly five millions of people can live well on what the products of the Island will purchase. At present, not more than one-fourth of the soil is under cultivation, mainly for want of transportation in the interior. More than half the Island is in pasturage; and, though cattle-raising is profitable, these fertile lands will now come under the plow. Better methods of agriculture and horticulture will be introduced, and the general yield per acre greatly increased. American capital will soon flow into the Island and the rates of interest, which are now a crushing burden upon all enterprise, will be reduced to something like the American level.

"Another most important attraction which the Island will present, if the principles now governing American control are maintained in all their generosity, will be, probably, the lowest rate of taxation known in any civilized community.

"It costs us in the United States, men, women and children, from seven to ten dollars per head annually, as we are in peace or war, to be American citizens—that is, for the protection of 'life, liberty and the pursuit of happiness.' Porto-Ricans, while they have the same practical protection, pay nothing toward the support of the army and navy, the civil service, or for pensions, public debt, lighthouses, life-saving, or any of the functions or activities of the general Government of which they enjoy the benefit. They have no public debt of their own, and they have the benefit of all the customs collected on Porto-Rican imports, without any deduction for the cost of collection."

Porto Rico as a Winter Resort and Residence.—Whenever the people of the Island are well employed and properly fed, and their misery thus ceases to afflict the traveller, and when better accommodations are provided for travel, better steamers, railroads and hotels, Porto Rico will become a winter resort for Americans and Europeans, for pleasure and health. Its foreign aspect, its matchless scenery—a combination of the grandeur of the Alps and the beauty of the tropics—its delightful winter climate, and the courtesy and hospitality of its people, both rich and poor, will attract visitors by thousands.

The location of the Island at the gateway of the Caribbean Sea, and at the crossroads of the two great lines of commerce which will flow between North and South America and between Europe and the Pacific Ocean by the Isthmian Canal, must soon make it one of the world's great centres of commerce and exchange, and develop one or more great cities which will rival in population those of the Eastern tropics, and in healthfulness and many other attractions vastly surpass them.

There is a constant movement from the colder climates of the

world toward the warmer, and millions of people are seeking tropical or subtropical homes, but there are not many places that are attractive to cultivated people. Following the belt of the tropics around the earth, there are few regions that one would even stop to consider, and those few have generally some serious drawback; they are either too hot, too wet, or too distant from civilization, or they are badly peopled, misgoverned or habitually revolutionary. But, with Porto Rico properly improved, America can offer to the world an ideal semitropical refuge. It possesses the natural advantages of an even climate, never cold, and never hot as compared with the extremes of summer in our latitudes, and always tempered by the sea-breezes of the northeast trades; it is accessible from America in two days' sail. With these natural advantages, and the attraction of a peaceful, sociable and hospitable population, if it is provided also with railroads, schools and colleges, well-kept towns, and all the modern ameliorations of city and country life, it will draw travellers and settlers without limit.

The cheap water-power of the Island and the perpetual cheap labor, which is insured by the low cost of living, will make it one of the best places for manufacture in the world.

The current having once set towards Porto Rico, quicker steamers and better accommodations will be provided, and these in turn will increase the travel. The fashionable world, already tired of the old resorts, will flock to a new one. Many will build their own cottages or castles, and somewhere on the mountains of the Island there may arise a city of palaces like Bar Harbor or Newport.

Meanwhile, commerce will not be idle. The peculiarly favorable situation and conditions of the Island will point it out as the proper gathering and distributing centre for the trade of the West Indies and the neighboring mainlands. Lines of coasting steamers will connect it with the other islands and ports, and gather their products for the great liners which will call and the ocean tramps which will rendezvous in Porto-Rican harbors.

ROY STONE.

THE URGENT NEED OF WATERWAY LEGISLATION.

BY LEWIS M. HAUPT.

THE bone of contention in the struggle for commercial supremacy is trade and that country is the best equipped for the contest which can deliver its goods at least cost and longest range. To accomplish this involves the ability not only to compete in first cost, but to retain control of the avenues of transportation so as to prevent the discriminations in rates or delays in deliveries incidental to carriage by aliens. Hence arises the urgent necessity for an ample merchant marine with the indispensable adjuncts of capacious channels, ample terminals and numerous overland feeders.

Since the charge for transportation is a factor in the assembling of the raw materials as well as in the distribution of the finished product, it is important to remove all conditions which may tend to raise the tariff, whether tolls, commissions, storage, break-of-bulk, demurrage, friction or other physical resistances.

Thus the main considerations in the selection of the site for a manufacturing plant are the geographic, geologic and topographic environments, so far as they may afford facilities for the supply of the raw materials and distribution of the finished product by competitive routes to the market at least cost.

Great mobility is essential to success, as is illustrated in the history of the maritime nations of the world. This is attributable directly to the fact that the physical resistance of a fluid to a body moving through or upon it is much less than that of a solid, and hence the cost of overcoming it is a minimum. This superiority of the waterway cannot be taken from it, and it is the part of wise statecraft in any country to utilize it to the fullest extent by the improvement of its rivers and harbors.

The repeated failures of the bill providing for this class of improvements in this country, and the strictures which are made upon the distribution of the funds, show that local and vested interests are not yet convinced of its incomparable advantages to all industries, and point to the necessity of citing, both from history and precedent, to demonstrate the necessity of the greatest liberality in the conduct of works of this class, not only by the National Government but by all parties at interest—including States, municipalities, corporations and individuals, without conflict of jurisdiction.

It is manifestly impossible for the Government, limited as it is by the numerous demands for its fixed expenditures, to provide for the early improvement of the multitudinous projects already recommended for commercial purposes, which aggregate nearly $500,000,000. Still, as the Government holds jurisdiction, there is no inducement for localities to invest their funds in improvements over which they have no control and from which they cannot derive a direct return by the collecting of tolls. Many such localities have been petitioning Congress in vain, for a score or more of years, to be permitted to relieve their necessities or to have the obstruction removed from their commercial outlets, because there is not sufficient tonnage at the locality to justify an appropriation. It does not seem to be appreciated that there can be no large amount of traffic because of the presence in the channels of obstructing bars, which must first be removed. This can only be done, under existing conditions, by the consent and aid of the Government's officials, and that cannot be obtained because of the excessive demand, so that the general development of even the smallest tributaries is congested and unimproved.

As an illustration, it may be said that the Pittsburg district has been knocking at the doors of Congress for the past decade for a national charter, for the construction of a canal between the Ohio River and Lake Erie, but to no purpose. This canal would save on the ore used in this section over $5,000,000; on coke, the saving would be over $1,500,000; on coal used in the district, $5,000,000, and outside of the district, $7,000,000; that is to say, on these few items of low grade, about $18,000,000 a year would be saved to consumers, without reducing the wage-scale one iota. Although the locality is not asking for aid from the national treasury, but simply for recognition and confirmation

of authority already granted by the States interested, that recognition and confirmation are withheld because of the urgent demands for legislation in other directions. As the Hon. John Dalzell has aptly said to his constituents:

"In such a great country as ours, with its innumerable waterways, streams and harbors, its varied and sometimes conflicting local interests, it has been found next to impossible to avoid the contemporaneous improvement of public works, little by little, to the unavoidable delay in their completion. It would be manifestly to the public advantage in the long run if a policy could be adopted which would, without delay, continue from commencement to immediate completion improvements recognized to be national in character. . . . This canal for which Congress is asked to provide a charter is to be built without Government aid, and is therefore a voluntary contribution to internal improvements, without cost to the taxpayer, and ought to command the unhesitating approval of every man, legislator or layman, who has at heart the interest of our commercial development. . . . I am one of those who believe that the general welfare would be immeasurably advanced if all interstate commerce were transacted by corporations created by Federal authority."

Further he recommends a general law, resembling the English Companies' Act, authorizing corporations to make public improvements. In short, he would return to the policy which existed in the early part of the last century, under which our highways, canals, railroads and telegraph lines were constructed. Imagine, if possible, the condition of these communications to-day, if each company had been compelled to go to Congress for authority to build its line, or, still worse, if the entire system had been obliged to await the allotment of public funds from the national treasury. Sectionalism would have been rampant and patriotism buried in the scramble for precedence, as would be the case to-day over the appropriation for our rivers and harbors were it not for the conscientious sifting and fair-mindedness of the Committee to which this subject is referred. But this Committee cannot spread a few millions over the entire domain and the insular possessions of the United States and secure rapid and determinate results, so that the urgent necessity exists for general legislation which will enable greater progress to be made without calling on the Government for appropriations, which are resented by sections of the country not directly benefited.

To this end it would seem just, as well as practical, to divide the works upon rivers and harbors into three classes:

1. Those which are strictly national—such as the great trunk-

line waterways constituted by the large rivers and their immediate tributaries, and the principal harbors. These general improvements should be cared for from the national treasury.

2. Local or State improvements, including the harbors and streams of the States, which are sources of revenue to the districts in which they may be constructed—as, for example, the Erie Canal or the Chicago Drainage Canal, which have amply repaid the States contributing to those works, for their munificent expenditures. These improvements should be controlled by the States.

3. Other minor and local improvements where, at present, there is little or no commerce to justify Government appropriations, but where, by the development of local resources, a large output of raw materials may be secured for the market which could not be produced by any other system of transportation than by water; or where power-houses may be established which require canals or slack-water systems to furnish the motive power for the plants—as at the Sault and the Niagara power-installations. There are also many minor inlets along the coast which are a menace to navigation, and which have been reported upon as being "unworthy of improvement," yet which would serve for the navigation of light-draft vessels engaged in fishing, or for refuge or pleasure launches, if moderately deepened. Such improvements might be accomplished by local authorities if they were not restricted by the prohibition at present exercised by the National Government, which denies them appropriations because of the absence of sufficient tonnage to warrant consideration.

Recognizing the defects of the present policy, the act recently passed by Congress very wisely releases three items to the control of private corporations, with the privilege of collecting tolls, but providing that the Government may recover control should the public interests demand it. This policy might be extended to the third class of works outlined above, with great economy to the service and a far more rapid development of the resources of the country.

The authority of Congress thus to delegate its powers to regulate commerce by the chartering of private corporations to construct roads, railroads, canals, bridges, telegraph or telephone lines or to make other improvements in lines of communication is too well established to be questioned. In delivering an opinion

on the authority of Congress to charter a railroad corporation, Chief-Justice Marshall said:

"The power to construct, or to authorize individuals or corporations to construct, national highways and bridges from State to State is essential to the complete control and regulation of interstate commerce."

This opinion also accords with the practice; for, as early as 1790, Congress ratified certain State laws authorizing public improvements by private companies. Georgia was authorized to levy a tax for the improvement of the Savannah River. Virginia incorporated a company to improve the James River in 1816. Alabama set aside five per cent. of the proceeds of her land sales for roads, canals and rivers. Pennsylvania authorized the building of a large number of turnpikes, the first of which in the United States, connecting Philadelphia with Lancaster, was opened in 1794 at a cost of $465,000; and in 1825 she began an extensive system of public works which, by 1845, exceeded that of any other State in the Union and cost over $80,000,000. At that date, the State owned 715 miles of completed canals and only 118 of railroads. Private companies owned 380 miles of canals and 700 of railroads, and there were at that time 2,000 miles of stoned and gravelled roads all owned by private companies. The State and private companies had constructed thirty bridges from one-quarter to one and a quarter miles in length, with numerous smaller structures; and it exercised general jurisdiction over its streams to build dams, create water-powers, improve navigation, build water-works and maintain navigation or build bridges, without securing authority from the general Government or having its plans or methods approved by any of its departments. All of its works are now operated by corporations, and it has not even a State Engineer or Department of Public Works.

With but few exceptions, this general policy of the States, exercising control over their public works, remained inviolable and it was not until about 1867 that the general policy of improving the rivers and harbors was assumed by the Government.

But, in the rapid development of the railways of the country, it was soon found that they could not compete successfully with the cheaper water routes; so that a war of extermination began to be waged upon the canal routes, which were gradually purchased and exterminated, while the rivers were placed under the control

of a central body, where they could be more readily regulated than under corporate management—for it was not appreciated then, as it is coming to be to-day, that the waterway was beneficial as an important adjunct and generator of traffic of the most profitable class for the railroad, and that manufactories could not exist without them. The hostility of the railroad interests to the improvement of the waterways was not so aggressive as long as the appropriations were relatively small; but, as they increased with the growing demands from all sections for relief, the passage of the appropriation bill became more and more uncertain. It became a recognized part of the programme to introduce appropriations for isolated sections, quite important in themselves, but having no direct connection with the general system of interstate commerce, in order to secure enough votes to pass the bill; and it has been found to be further necessary, to insure the continuation and completion of works before they are destroyed by the elements, to have recourse to the "continuing appropriations" carried in the Sundry Civil Act.

The difficulties of passing this measure are well set forth in the report accompanying the bill submitted to Congress by Mr. Blanchard, Chairman in 1888 (the present Governor of Louisiana), in which he referred to the experience of the bill of 1882, which carried an appropriation of $18,738,875, the largest amount up to that time of any bill reported, but which the President vetoed and Congress passed by a two-thirds vote. In commenting on this action, the Chairman said:

> "Thereupon, many of the newspapers at the great railroad centres raised a hue and cry against the act and against those by whose votes it had been passed, making use in the attack of the grossest misrepresentation and personal abuse, in the endeavor to blind the people to their own interests. . . . It has come to be seen that it is of prime importance, for the protection of the public from the undue exactions of the railroad companies, that the great natural highways of commerce, the waterways of the country, should be placed in the best condition to compete with them."

Under this conviction, a bill was reported carrying $19,494,783.13, which was "less than twenty per cent. of the aggregate of the local engineer's estimates, including new projects." This would make the total estimates of works then recommended to be about $100,000,000, whereas to-day it is nearly five times that

sum, so that the appropriations are far from keeping pace with the demands of commerce.

This bill was presented to President Cleveland, July 31, 1888, but was not returned to the House of Congress in which it originated within the time prescribed by law, and hence became effective without his approval.

Numerous instances might be cited of the failures of these appropriations, which appear to be becoming more frequent, but space will not permit more than a brief reference to the waterways of other countries and the significant lessons which their experience has taught them as to the great value to their railroads and all other interests resulting from the improvement of their rivers, canals and harbors.*

In a recent paper on the "British Canals Problem," Mr. Arthur Lee presents some striking comparisons, which are quite pertinent to the conditions existing in this country. Speaking of their relations to the railroads, he states that it was assumed that the railways would meet all the demands of commerce, so that they were allowed to secure control of 1,138 miles of canals out of a total of 3,906, and "these were so adroitly selected as to strangle the whole of the inland waterways." He adds that, with the single great exception of the Manchester Canal (built by local enterprise), no improvement of any consequence has been made in the system of inland waterways which was in existence before 1825.

In Reports of British Consuls upon the relation of waterways to railroads, seaports and trade with foreign countries, it was stated that in France a great development has sprung from the improvement of the waterways, as instanced particularly by the canal connecting the Marne with the Rhine, "along the banks of which factories and furnaces are so numerous and press so closely upon each other that one might imagine them to have sprung from the earth." In fact eighty-three per cent. of the industries upon its banks have been established since the canal was cut.

The expenditure in France of $135,000,000 on navigable waterways has been attended by a great development of water traffic, and it is worthy of note that the railway traffic has also largely

* For a fuller presentation of this question the reader is referred to a paper, entitled "The Lesson of the German Waterways," by O. Eltzbacher, published in the "Contemporary Review" for December, 1904, and to another on the "British Canals Problem," by Arthur Lee, in the "Journal of the Society of Arts" for December 2, 1904.

increased. The total length of first-class waterways was increased between 1872 and 1900 from 906 to 2,930 miles of newly constructed canals, some of which are under private control.

In 1900, the mileage of the German waterways was 8,798 miles, and other extensive projects are contemplated in consequence of the admittedly great economies of the water-borne traffic.

Austria-Hungary has expended about $105,000,000 on her 4,000 miles of navigable waterways, between 1848 and 1898. For a time, the railroads were in the ascendant; but soon there was a reaction in favor of the water routes, as the railways were not in position to grant as cheap rates as the economic interests of the country demanded, especially for low-grade traffic. In June, 1901, the Government voted $50,000,000 for an extension of the navigable canals of Austria.

Belgium has expended $90,000,000 on her navigable waterways and harbors between 1875 and 1900. They are operated in part by the State, by provinces, or by communes or municipalities, with a small percentage under the control of companies or individuals. The tidal rivers are exempt from tolls; but, on the canals, a small tariff is collected. On slack-watered rivers the rate is less than one-twelfth of a cent per ton per kilometer; and on canals it is only one-fortieth of a cent. The traffic increased 124 per cent. between 1880 and 1900, during which time the railroad tonnage trebled.

A similar experience is recorded in Holland, where the ramification of the canals was supplemented by railroads to the great benefit of both. The State built the railroads and turned them over to a private company to provide the equipment and to operate them, the companies paying a small revenue for the franchise. Between 1862 and 1901, about $85,000,000 was expended on waterways. The tonnage of the Rhine and canal traffic advanced from 1,420,257, in 1892, to 4,433,257 in 1899, with great increase in the amount of freight carried by the railroads. In short, the experience of Continental countries shows that an increase of tonnage on the canals led to a corresponding growth on the railroads.

In Great Britain, that most powerful of the maritime nations, the rivers and harbors are created and maintained by private parties or by municipal corporations; and the proposition submitted by the Manchester Corporation, to have the State assume

control of all such works, was strongly opposed as contrary to good policy. The problem can best be solved, it was said, by giving powers to local authorities to form canal boards in certain districts, to improve and unify the routes lying therein, as is done in the case of the roadways. Mr. Balfour remarked that "he had not heard it suggested that the Government should undertake the work of developing and managing inland navigation. He must dismiss that proposal; nothing was more alien to our general way of managing things in this country."

Sir Michael Hicks-Beach, in discussing a proposition to authorize all canals to be taken up by local authorities, either singly or combined, for the purpose of being improved, said: "That was a practical proposition, which, he thought, certainly deserved the consideration of Parliament." This view was strongly supported by the membership of the Society of Arts. It was felt to be a businesslike proposition to rehabilitate the internal waterways of the Kingdom, that the cost of manufacturing might be still further reduced, and Great Britain be thus enabled to compete more effectively in the world's markets, without further reduction in the wage-scale.

These few citations from actual experiences, under varying conditions, should serve to impress upon the most incredulous the fact that the improvement of the internal waterways of the country is not injurious to the great railroad interests, and that, notwithstanding the apparent reduction in rates due to the competitive water routes, there are advantages which far outweigh the small loss of revenue that may possibly result from the withdrawal of the bulky freights which are too often carried at a loss and serve to congest the terminals, and which require a much larger equipment for the storage of goods in transit.

The policy of restriction of the waterways of this country is dominated by some power which is unfavorable to their improvement, and which does not yet appear to appreciate the great and lasting benefits to accrue to the nation from the ability to ship its products by the most economical routes to the markets of the world.

Relief can only come from legislation, and that does not seem to be forthcoming so long as the Government retains sole jurisdiction over all the waters of the country that now are or may hereafter be made navigable, and does not take the initiative in their improvement nor permit competition in the plans or methods

to be pursued in their development by localities, even where the Government has reported them unworthy of improvement by its own method.

As an illustration of the great waste annually incurred through the absence of capacious channels and liberal legislation, it may be said that the Chesapeake and Delaware Canal, connecting the bays of those names, which is only fourteen miles long, has been urged upon the Government for enlargement by its most competent officials and by various commercial bodies, to no effect, for more than a score of years. This work would cost less than the price of one battle-ship, and would increase the efficiency of a whole fleet at least twofold. It would save $1,000,000 on the coal bills of the New England consumers of this commodity, and enable coastwise tonnage to avoid the dangerous détour around Cape Charles, of about 400 miles, with its doubled rates of insurance and loss of time. Yet the measure cannot get farther than a unanimous report from the House Committee having it in charge, on the plea of "economy"; and yet large appropriations are still made for battle-ships. In consequence of the failure to legislate, this toll-gate continues to restrict interstate commerce, as its capacity is sufficient to pass only three per cent. of the coastwise vessels, which have outgrown the draft of its locks.

While the Government is proposing to expend over $200,000,000 for a canal connecting the two oceans, which will be used by our foreign competitors carrying American products far more than by ourselves, it does not see the wisdom of removing the obstacles to the interchange of the nearly 90,000,000 freight-tons of produce tributary to this single, short canal, which could be done in a few years at a cost not exceeding $7,500,000. The whole traffic of the Panama Canal, it is estimated, would not exceed about 7,000,000 tons for the year 1909, and most of that would be foreign. Considering the cost, the Chesapeake and Delaware Canal is one of the most promising canal propositions on the globe.

The State of New York has determined by its referendum to expend over $100,000,000 in increasing the depth of its canal by only three feet, making it twelve, in an effort to compete with the Canadian canals of fourteen feet, which are being still further enlarged to twenty feet, yet the "Anti-Canal League" attempted to place legal obstructions in the path of even this small increase

of facilities, not foreseeing that the trade of the greatest port of the United States would be further reduced and driven across the border, forgetting that the railroads would likewise suffer a relative loss of tonnage. Is this good policy or wise statecraft?

Again does history impress upon this generation the misfortune of neglecting golden opportunities, for to-day the capacious system of the St. Lawrence Canals through Canada and the projected Georgian Bay waterway to Montreal is but a realization of the forecast made as early as 1835 by Governor Marcy, who stated in his recommendations to the Legislature of the State of New York that there should be a "ship-canal from the Hudson River to Lake Ontario and another around the Niagara Falls. . . . The Government of the Canadas is making vigorous efforts to render safe and easy the navigation of the St. Lawrence, with a view to direct the business on Lake Ontario, and the region above and around it, to Montreal and Quebec. One of the principal objects of the proposed ship-canal is to countervail these efforts and draw this business to the city of New York. The enlargement of the Erie Canal will, to some extent, contribute to this object. It will be for you to determine whether the additional advantages of a ship navigation are of sufficient importance to call for the construction of such a work."

The sequel shows that our Canadian brethren were wiser in their day than our forefathers, and that, even with their limited population and resources, they heroically applied themselves to the task and have won the prize. If Governor Marcy could speak to this generation to-day he would only be able to say, with sincere regret, "I told you so, and yet your eyes are not open; your commerce is being diverted by the lines of least resistance to Canada and the Gulf, because of the greater cost of the overland haul and the break-of-bulk on your limited waterways."

Further illustrations would seem to be unnecessary. The great need of the nation is remedial legislation, which will release the waterways of the country from the exclusive jurisdiction which now throttles their channels and commerce, and which will permit them to be enlarged and improved, without cost to the Government at large, by private capital wherever the local resources are such as to justify the enlisting of sufficient money in the projects, as is the policy of the world's greatest commercial nation.

LEWIS M. HAUPT.

WOMEN ON SCHOOL BOARDS.

BY KATE GANNETT WELLS.

THE position of women on School Boards, a natural and logical office for women, is still somewhat anomalous, unless they are content to fill an advisory rôle. In that capacity, if their counsel is offered tentatively, it is heard respectfully; and the chances are that it is likely to be finally adopted as the joint product of Committee sessions rather than as the outcome of feminine initiative.

The success of a woman on a School Board depends chiefly upon how far she is willing at first to subordinate herself, until she has understood her new environment, school legislation, present fads and prospective ideals. If she begins her official duties with the tacit assumption, even if only to herself, that she knows it all and that it is incumbent upon her to reform methods and measures instantly, she soon finds her sphere of usefulness narrowed.

If, on the other hand, she observes carefully, questions circumspectly, keeps her inferences to herself, does not generalize inductively until she has a wide acquaintance with facts and persons, is neither eloquent nor personal in discussion and votes without aggressiveness, she is sure to grow in favor with Boards, Committees, teachers, parents and pupils.

She should no more ignore her sex than she should obtrude it. When a woman proudly states that she has been treated by her masculine coworkers as if she were a man, her declaration is no compliment to them and is a condemnation of herself. Having been elected because she is a woman, she should never give away her dignity by belittling her point of view as a woman. And yet she should be competent to regard all questions from an impersonal standpoint, and as related to precedents and possibilities. The more she is of a woman, using that word in its noblest sense, the greater will be the good she can effect. That, being a woman,

she can, of course, indulge "in politics" goes without saying. Fortunately, most women serving on School Boards are single-hearted in their labors, and enjoy the privilege of working for their State, city or town without compensation, as their contribution to the service of their country.

Their relation, however, to the general public is often as disappointing to the public as to themselves and to teachers. What the many want, the one woman on a committee can effect only when her comembers vote as she does. So much is now being done by organized educational philanthropy for "our schools," that measures, wise and needful considered by themselves, but financially impracticable, are sometimes urged with a grim insistence which is the result of partial knowledge. And, even if moneys should be charitably furnished to carry out such proposals, a kind of special legislation might arise by which reforms dominated by an organization or by an individual would be granted to the one offering the highest sum for the sake of the public good. An extreme instance of this external care over a School Board was that of some "friends of the public schools" who wanted dissection forbidden because it caused so much pain to animals. The "friends" knew neither the scope of their work nor the school laws.

But, as proof of the good that an individual woman can effect, the success is recalled of one, who was a member of the Boston School Committee for fifteen years, entrusted by it with important positions as chairman and counsellor; who was honored by the masters, beloved by the women teachers, adored by the children; who never deviated from rectitude in all her official acts, and who adorned her pedagogic knowledge with grace of heart and manner.

Perhaps Boston, more than any other city, owes much to the women, who on or off her School Committee have benefited her public schools, for widely known are the advantages conferred upon her school system through the wise generosity brought to bear upon it by two women, who yet never held any official relation to it. To the initiative of Mrs. Quincy A. Shaw is due the introduction of the Kindergarten and much of manual training. To Mrs. Mary A. Hemenway was due the establishment of sewing, cooking and Swedish gymnastics as branches of school work. It is an old story now, but always new if one would learn from it

how patience must accompany munificence, and how personal zeal must be tempered by wisdom and appreciation of temporary conditions, yet without losing sight of the end desired.

"But the most important work," exclaims the modern philanthropist, "is to take our schools out of politics." We should never admit that the schools are in politics, says the woman, elected or appointed, who works for them without thought of self-aggrandizement. Given wise organizations and clubs caring for the schools, but trained in "hindsight" and endued with foresight, also a Board which does not mistake the accidental for the permanent, and which couples sympathy with justice and economy, and our schools can become the strength of the nation. Possibly it is somewhat to be feared that, in women's eagerness for social service, they may scent reform or invent educational fads at inopportune moments, their zeal outrunning their discretion, for nowhere is it truer than in school work that evolution is better than revolution.

Any unofficial inspection of schools must depend largely upon local conditions. A Woman's Club can call attention to the need of improved sanitary school conditions in many a town or city. It can encourage schoolroom discipline by showing mothers, who think their children need none, that system and method are more essential than favoritism; and it can brighten the lives of children by pleasing hints to them of their responsibility for clean schoolrooms and other refinements, until each child feels he is vested with the guardianship of something, even if it is merely to be "monitor of the buttons" that ought to be on some other child's buttonless garment.

What, then, is the peculiar, distinctive work of women on School Boards? The same that it should be everywhere—the motherhood of hospitality, personal attention to details, freedom from partisanship, sympathetic breadth of view, the enrichment of school life, the development of hygiene and domestic science and the giving of a large amount of time that must presuppose sufficient leisure from other interests to spend days where men spend hours, and hours where men give minutes.

Of course, men should and do have the same work; but, from the multiplicity of their ways of bread-winning, they have not usually the same largess of time to give to schools as such, which women have; or else their service may be only legislative, broadly

important as that is. A man's work is more directly connected with finances and erection of buildings; yet, alas for the school-houses which have not also a woman's suggestions as to their requirements! In other words, a woman's work is more directly work *in* the schools, *with* the teachers and children. This is what is meant by the motherhood of hospitality. If a dirty or puny child is repellent to her, she can do no good to him or his teacher. But, if she sees in him a boy who needs mothering, she can help the weary teacher to arouse his interest in new ways. No matter how inventive an instructor, her inventions now and then pall before the initiative given by the stimulus of the outsider, the Committee woman; only the latter may not deem herself infallible in theory when confronted with the daily experience of the teacher.

The brightness which the official woman can bring into a school by the tones of her voice, her genial "good morning" to all, is like the freshness of a west wind. But, if she deems it her bounden duty to make a little speech in each room, her ministrations will soon grow stale and unprofitable; while, if she joins in the lesson that is being given and makes herself as a pupil, scholars and instructors alike are helped by her avidity to be one with them.

This motherhood of hospitality includes teachers even more than pupils. The Committee woman should understand each instructor's foibles and strong points, her mannerisms and methods and her personal history, at least as far as it affects her teaching. Here sympathy and suggestion play their most beautiful part. She probably will know far less than the teacher of technical subjects; but, in all likelihood, she will have a wider outlook than a special instructor, understanding how subjects can be correlated without weakening them, and being an adept in the art of fresh illustration and of earnest pleading. She should never be so ignorant as to consider teachers as in a class by themselves, for they never are, any more than parents; and she should never be so ludicrously presuming as to think she can improve them by social teas, when the equality of friendship is lying all abroad for any one who will embrace it. They need pay no initiation fee to learn of her. All the same, if she has not the impalpable protection of her own high breeding and generous sympathy, she will be nothing but a mere official. Yet, by her discretion as much as by her sympathy, can she lessen the discontent

of many a teacher with her salary and surroundings, even though no tangible result appears. At least she can aid in dispelling the notion that the teaching profession is to be embraced from a desire for social recognition, or is a more honorable calling than any other honorable profession.

She should, however, insist upon a teacher's "personal fitness," the pedagogic term for being an agreeable-looking, pleasing-mannered, well-equipped, delightful instructor; to use the epithet of a certain wise school Superintendent, "a teacher must be well set-up."

Not striving to accomplish the dreary monotony of making teachers alike, the official Board woman should endeavor to help each one to work in the way best fitted for him or her, measuring each teacher relatively to capacities rather than to a prescribed system. Fortunately, "individual teaching" is becoming a fad. Long may it survive other fads! The official woman, just because she is a woman, will be so often asked to help other women that she has to take upon herself a kind of private civil-service obligation, while insisting upon the fundamental principle that, all other things surely being equal, a woman should receive the same salary as a man for the same work.

Also it goes without saying that, whatever she may feel, she should never show partiality in a school building. If she cares for one teacher more than for another, as she surely will, it should be a personal matter, independent of the school. The teacher, on her part, quickly takes the measure of her official superior; and, though treating that functionary with the outward respect due the position, knows that she does not count for much in running the machine system of a school. Just because this is often the case, does the Board woman fall back upon personality as the lever by which she hopes to elevate system. If her term of office is long, she will have proved the nobility of her friendship, and also will have effected much good in the system before her successor arrives. She cannot afford, however, to be considered as ready to entertain the complaints of any one connected with schools. Such alacrity would be too subversive of authority. She may fancy she can ascertain the real state of affairs by asking questions. Yet, as a Principal once said of an official, "Questions were asked in such a way that my subteachers at once suspected something was wrong." As a rule, it may be better to hit wide

of the mark than to aim accurately in questioning; then one will learn something, even if not what was wanted; collateral evidence is valuable to be stored up for future use.

It is in attention to details that the Board or School Committee woman can most easily make her impress upon a school. The sundry minor necessities of a well-kept schoolroom and a well-furnished teacher's table; of decoration by color, photographs, casts and plants; of chaste furnishings in school parlors; of friendly relations with janitors and engineers, who are so important in running a school smoothly, are part of the domain in which her supervision can well be exercised.

Never should she criticise one teacher to another, save to the Principal, nor the Principal to any of his faculty. Never should she impose her way, as hers, upon subteacher, Principal, Superintendent or janitor. Nevertheless, if it is the right way, she will gain it through patience and courtesy. Herein is the wise, gracious Committee woman an immense help to a school curriculum.

Never should she be ashamed, lest it be deemed not pedagogic, to insist upon character as one absolute requisite in the granting of a diploma, even of a Normal or college graduate. But then she must understand character, and not merely be fussy. She will, moreover, soon find that the ends she wishes to see accomplished arrange themselves in groups, such as tenure of office, probation, and retiring allowances; examinations, competitive and qualifying; clerical assistance and Sabbatical years for teachers; modification of present lavish graduation ceremonies, and of elaborate entrance examinations and marking systems; the proper age for "coeds" and "coords," or for early separation of boys and girls in school life. These are a few of the problems with which women are well fitted to deal, and which to some degree must be answered by any one on a School Board. With slight confidence in methods as such, she yet will be merciful to pedagogy, and tolerant of the various contrivances for making studies easy for pupils and hard for teachers. And, just because she herself is not daily teaching, will she often know best how a lesson should be conducted.

Above all, her knowledge of school legislation should be exact and full, else she constantly will get into trouble. But she should be well skilled in reserves, neither saying how little she

knows nor letting it be known how much she knows. Proportion should be the watchword by which she tests her own conclusions, the decisions of Principals and impersonal systems. It is in this way that an all-round Committee or Board woman will neither undervalue the "triumphs of imagination" nor "the contents of a child's mind." Not indulging in hybrid correlations of studies, she will comprehend the complex phases of a school curriculum and adjust them to the social life of the community.

Our schools are undergoing great changes; for the old values of the church and home, which supplemented limited school forces, are far less existent to-day than they were thirty years ago, schools now forming the chief means of assimilating the interests of boys and girls with the best issues of national life. The earlier educational "essentials" are now often denuded of thoroughness in favor of a curriculum embracing hygiene, athletics, enjoyment, nature study, manual training, on the ground that education is a matter of feeling and will-power, as well as of coordinated intelligence. It is right that the mechanics of old, rigid school systems should give way before the advance of really rational, sympathetic intelligence, which, however, should not include "frills" according to each interested party's fancy.

It remains for women on School Boards to hold the position they have gained by doing their work according to the feminine nature with which they are endowed, and not as overweighted officials, burdened with a discourteous and undue sense of their importance to the community. Let them do their work with pure joy in doing it. Then can they hold themselves and men, their coworkers, upon the highest levels of single-hearted simplicity, intuitive sympathy and executive efficiency.

For many decades there has not been a time when increased legislation on behalf of schools is more sure to come than now. Not alone are means for increasing expenditures, if only on account of numbers, to be considered, but the very extent of free public education is being freshly determined. Is it in the East to include, as in the West, State universities? Is it to furnish technical trade schools? Is it to assure the health and pleasure of each pupil by parks and spray baths? Is it to open school yards as playgrounds all through the year? In the answers to such questions women have vital interests and School Board women much responsibility.

KATE GANNETT WELLS.

SERGÉ IULITCH WITTÉ.

BY CHARLES JOHNSTON.

SERGE IULITCH WITTE was fitted for the conduct of great affairs alike by heredity and training. The former point is worth insisting on, in view of the rather amusing misstatements that pass current. A recent would-be biographer, for instance, declares that the Peace Plenipotentiary is the son of a Dutch storekeeper; and another writer in an earlier sketch said that his family was so obscure that they had only influence enough to get him a position as a wayside station-master. In reality, Witté comes of a long line of noble Courlanders, descendants of the old Teutonic order; while on the mother's side he is descended from the Princes Dolgoruki, in whose veins runs blood as noble as any in Russia. The first Dolgoruki was the founder of Moscow, and his father's crown is still used in the coronation of the Tsars. From him came the long line of Moscow Tsars who preceded the Romanoffs, and whose dynasty closed, in the days of Shakespeare, with John the Terrible and his weakling son, Theodore.

Under the Romanoffs, who were elected by the Zemski Sobor of 1613, the Dolgorukis played a great part, always on the side of freedom, always opposing the encroachments of the Tsardom. Many of the Dolgorukis suffered Siberian exile for their valiant stand against autocracy; and one of them, Prince Jacob, escaped the vengeance of Peter the Great only by his magnificent audacity. Urged by Peter to sign an ukase aggrandizing the Emperor, he firmly refused, and finally tore the paper in two, and strewed the pieces on the floor. Peter was so taken aback that he forgave his daring minister. Another Dolgoruki, at the height of a great military career, resigned his command in the army rather than carry out the tyrannical orders of the Emperor Paul, who insisted

on merciless punishment of the common soldiers. This Prince was Minister Witté's great-grandfather; so that Witté's action in standing out against the war in the East has centuries of heredity behind it. He comes of a great race of sturdy courage, lovers of liberty.

In training, also, Witté had singular advantages. His father was one of the high officials in the Department of Government Estates, which in Russia form a considerable portion of the entire empire. Iuli Witté was stationed in the Caucasus, with special charge of the agricultural side of the government domains. Thus it happened that Sergé Iulitch—that is, Sergius, son of Iuli or Julius—was born in Tiflis, the capital of the Caucasus, on June 29th, 1849, so that he is just over fifty-six years old. His youth was passed in the Caucasus, among wild Orientals, Tcherkess cutthroats, Tartar peddlers, Persian and Armenian merchants, Georgian landowners, a dozen different shades of sallow skins and guttural voices. He studied at the Tiflis College, and showed great mathematical powers. So marked was his ability in this line that, when he entered the Odessa University in 1866, he set his heart on a mathematical professorship, and worked so hard that he gained the large gold medal on graduating, four years later, in his twenty-first year. He tried his hand at journalism about the same time, joining Asmidoff in the "New Russian Telegraph," which was decidedly anti-Semite in tone.

His family finally persuaded Sergé Iulitch to give up the long-cherished design of a professorship, and to enter practical life. This he decided to do, and he accepted the post of Inspector in the Society of Navigation and Commerce, which owned the South-western Railroad of Russia, connecting Warsaw and Kieff with the port of Odessa. The districts tapped by this railroad included some of the richest agricultural land in Russia, great wheat regions, as well as the zone of the sugar-beet in Poland. The said sugar-beet was, curiously enough, the occasion of Witté's introduction to American politics, in a recent international incident which is not yet closed. Witté began on a salary of $50 a month, and set himself thoroughly to master the whole business of railroad traffic, and the commercial questions of production and traffic linked thereto. From this point until his entry into government life in 1888, Witté's history is truly American in the best sense; he tackled exactly the same problems, and showed

exactly the same powers, which make our great captains of industry over here. His career as a statesman was profoundly affected and colored by his earlier life as a strenuous and successful business man; and it is this early training which gives him that real grip of affairs which stands in such sharp contrast to the ideology of so many Russian statesmen.

Witté rapidly worked himself up to the position of Assistant Superintendent of Traffic of the Southwestern line, and shortly after was promoted, strictly for merit and for work done, to be General Superintendent of the railroad. Here he met the first serious setback of his career. A frightful railroad accident took place at Teligul; and, under the Russian system, Witté was held responsible, and was called to St. Petersburg to answer for it. He thus made the acquaintance of the northern capital under lugubrious auspices, spending long weeks under arrest in the Hauptwacht, while the case dragged its slow length along, half strangled by red tape, and perhaps only slightly facilitated by baksheesh.

At that time the Southwestern Railroad was under the supreme directorship of Vishnegradski, afterwards Minister of Finances. Vishnegradski came into contact with Witté at Kieff, and presently they struck up a friendship, based on a common devotion to pure mathematics. Witté was also drawn by bonds of friendship to Platon, the famous Metropolitan Archbishop of Kieff, a strict Orthodox formalist and persecutor of the Stundist heresy, yet a man of broad mind, and one specially popular with the Jews of the Western Country. At this epoch also Witté joined the great secret society organized to confront the Terrorists, the *Okhrana,* or Guard, which was pledged to protect the life of the Tsar. This society contained many nobles, and for years countermined the mines of the dynamite revolutionaries. Thus Witté formed relations with Church and State, which foreshadowed his future career.

In the spring of 1877, the Bulgarian Atrocity agitation was at its height, and Russia finally declared war against the Sultan. There was not even the semblance of a Black Sea Fleet in those days, only a few steam-launches, in which Makaroff, Skrydloff and Rojestvensky won their spurs. The Tsar's armies were, therefore, compelled to invade Turkey by land, and they passed through southwestern Russia on their way to the Rumanian frontier.

This crisis gave Witté a great opportunity, which he greatly met. For nearly a year, he toiled early and late, facing the immensely difficult problems of war traffic; providing trains for men and war material, and surmounting the thousand obstacles which imperfect organization and primitive methods, as well as the corruption of the Commissariat Department, threw in his way. He had to face, month after month, very much the same difficulties as Prince Khilkoff so successfully grappled with in the present war, and his triumph over these difficulties was even more complete. Trains full of soldiers followed each other in unbroken series, gathering men from Moscow and Kieff, and forwarding them on the road to Bucharest. Thence, with their gallant Rumanian allies, they marched to the Danube, Plevna, the Balkans, Adrianople. Trains full of wounded had to make their way back to the hospital bases at Warsaw and Moscow; and for these also Witté made provision. Kuropatkin was doing great work, at this very time, as Chief of Staff to Skobeleff, and he was among the wounded who passed through Witté's hands, receiving a severe contusion during the great assault on Plevna, on September 11, 1877, after a splendid exhibition of gallantry, as recorded by General Francis Vinton Greene, the American military attaché, in his fine work on the Plevna struggle.

A few years after the war, in the early eighties, the Russian government called for a scheme of uniform tariffs for the Russian railroads, and invited experts to send in plans. Witté set his mathematical genius to work, and figured for days and nights over the matter, with the same patient industry, the same eye for the smallest detail, which had won his medal at the Odessa University. He really knew the subject through and through, and he supported this knowledge by a great constructive imagination, which we shall see active and effective again and again. From amongst many competitors, Witté's scheme for a uniform tariff was selected as the best, adopted by the Russian Ministry of Railways, and translated into many languages. It is a classic of railroad work, and doubtless Witté's experience as a journalist stood him in good stead when he came to set it down. Yet, as one who has translated many of his state papers, I can hardly say that his style is graceful or flexible; it has the sturdy eloquence of fact and sequence, and that is all.

Vishnegradski had become Minister of Finances. He now did

his best to persuade Witté to give up railroading and come to St. Petersburg, offering him a position in the Finance Ministry. Witté, born under the burning sun of the Caucasus and brought up among the vineyards of the south, had something of Lermontoff's hatred of the gray northern capital of twilight and ice; and for a long time he held out. At last, Vishnegradski created for him a new department of railroads, in the Finance Ministry, at the beginning of 1888, and in March Witté finally pitched his tent by the Neva, and entered the official hierarchy, Peter the Great's "Nobility of Work." We hardly recognize the Russian bureaucracy by that title, yet this was exactly the idea in the mind of its creator, which shows how a good thing may be spoiled.

A second railroad accident now changed Witté's destiny. The imperial family just escaped a frightful death at Borki, and the Minister of Railways tried to escape odium by resigning. To every one's astonishment, Witté got his place, and a high decoration, the order of St. Stanislav. Then came the painful and lingering illness of Vishnegradski. For a long time, Alexander III was doubtful as to his successor, and he offered the post to many of his leading men. In curious reminiscence of the ancient story, "I and Themistocles," every one of them agreed to take the post "if Sergé Iulitch Witté is sent as my aid." Alexander III at last saw light, and sent Witté, not as assistant to another, but as acting Minister of Finances himself, and, on Vishnegradski's final withdrawal, Witté got the substantive appointment.

Alexander III was a slow, somewhat narrow, man, yet he had certain clearly marked and sound principles. He saw the danger of German domination on the Continent, where Bismarck's policy was still supreme, and he conceived the idea of raising France once more to the position of a first-class Power, as a counterpoise to Prussia. From this followed the Franco-Russian *entente,* and later alliance, which restored the balance of power so rudely upset at Sedan. This rehabilitation was really an enormous boon to France, and was met with sterling gratitude, which opened the way for immense French investments in the land of the North. In the last few months, we have seen the reaction from Alexander III's policy in the growing self-assertion of Prussia, now that Russia's hands are weakened by the war; yet that policy gave Europe a dozen years of peace and security.

A second article in Alexander III's creed was internal de-

velopment. He embraced the idea of self-development behind a tariff wall, which in this country is bound up with the name of President McKinley, and he presently found in Witté a most able disciple and coadjutor. Witté not only grasped the idea, but carried it to lengths which Alexander III hardly contemplated; and no part of Witté's policy is more hotly debated even to-day. On the one hand, he is praised for having created a commercial Russia; for having shown how the immense latent resources of the Empire might be drawn forth and made effective. The factories which have sprung up all over Russia in the last dozen years are the result of Witté's ideas, and the new industrial class, which has come into prominence during the recent disturbances, is his creation. So true is this that he was stoutly opposed for years by Plehve, who accused him of breaking away from the old life of Russia, and creating a new class, which would most assuredly furnish a hotbed for the growth of revolutionary socialism and the propaganda of the Terrorists.

Plehve was not alone in blaming Witté. There is at this moment a great body of opinion in Russia which declares that Witté has sacrificed the fields to the factories, and has stripped the mujik bare, in order that the factory-hand may have work. Highly colored reports have been published, which show that year by year the stock on the Russian peasants' farms has been steadily diminishing; not only have the peasants been pushed to the verge of starvation, it is alleged, but they have in thousands of cases been compelled to sell their stock and even their farm implements to pay the taxes made necessary by Witté's industrial schemes. Where there were three horses and cows, it is declared, there is only one now; and things are steadily going from bad to worse. To Witté his enemies attribute the general impoverishment of the Russian rural districts, the result of which we have seen in the great peasant uprisings, the plundering of manor-houses, and the assaults on landowners, of recent years. This is too large a question to settle here; in our own country, we have a class of thinkers who say just the same of our tariff policy, attributing to it all kinds of real or imaginary ills.

Witté's reign at the Finance Ministry began on New-Year's day, 1893; and he presently found himself face to face with a grave international problem. We have read a score of times recently that the great Russian Plenipotentiary had no diplo-

matic training and that this would put him at an immense disadvantage; this is technically true, in so far that Witté has never served a term in one of the embassies, but there are other ways of gaining diplomatic knowledge. Witté gained his training in the year 1893, in circumstances by no means so widely different from the present situation. He held up the Russian end of a fierce tariff war with Germany for many months; and he finally came out victorious and dictated a treaty to the Kaiser's government. He carried out the negotiations in his own person, after waging the war, and he was as successful a negotiator as he had been a general. Looking back over that vivid piece of history, it is to be regretted, from Russia's point of view, that the whole Far-Eastern War was not turned over to Witté at the outset. But in that case the war record would have been like the history of Iceland snakes, for Witté was stoutly in favor of compromise and peace from the very beginning.

The story of Witté's tariff war with Germany is as follows: In the fall of 1891, Vishnegradski overhauled the Russian tariff, to see whether concessions might not be made to foreign Powers who were willing to extend the "favored nation" clause to Russia's great article of export—grain. With a view to reciprocity, he decided to lower the Russian import duties on metals and chemicals, the chief articles exported to Russia by Germany. There was a further thought in this move: to open the way for Russian commercial development, by making easy the admission of machinery and industrial supplies destined for the new Russian factories. Vishnegradski accompanied this concession with a polite request that Germany should consider the possibility of lowering the duty on Russian corn imported into the Fatherland. The Agrarians got wind of the matter and instantly raised a storm of objection, bringing strong pressure to bear on the Berlin government. Germany temporized, evaded, and finally introduced a new Differential Tariff, in which the duty on corn was lowered in favor of every country except Russia and Rumania. Shortly after, the lower duties were conceded to Rumania also, so that Russia was left out in the cold.

Vishnegradski's health was already failing at this time; he did nothing effective in the matter, and so things dragged on until Witté came into power. He at once began to make things move. He invented a Differential Tariff of his own, and gave

notice to Germany that, unless concessions were promptly made in favor of Russian corn, he would put his new tariff in force. This he finally did, in the summer of 1893, six months after his confirmation as Minister of Finances. Each side promptly "raised" the other, and so things went on, until Russia's corn exports to Germany had practically ceased, while chemicals and machines from the Fatherland no longer found their way into the realm of the Tsar. Many Moscow manufacturers, who depended on Prussia for their raw materials, had to diminish their output, and finally close down altogether, and a few firms faced ruin and bankruptcy. What Witté did, to help the Russian farmer at this juncture, we shall presently see; but his policy was so effective that Germany finally backed down, and a tariff conference was summoned, to meet in Berlin on October 1, 1893. Sergé Iulitch Witté went there in person, and set about negotiating with the Chancellor and the Finance Minister of Germany. During the summer, the Kaiser had succeeded in having the Army Bill passed through the Reichstag, and this victory once achieved, he no longer urgently needed the support of the Agrarians, so the Junkers were thrown overboard. Witté got his "favored nation" clause and all the German chemicals and machinery needed for his new industrial Russia.

It will be seen, therefore, that he is a past master of the arts of diplomacy and negotiation, though not a diplomat in the narrow sense; and, having once beaten the mighty Kaiser at the game, he came to meet the Mikado's envoys with the confidence of an old hand.

We get a flash of insight into Witté's mind, by noting the means he took to help the Russian peasant, when the tariff war caused a sudden falling off in Russia's corn exports. It was evident that certain things would at once occur: the peasants are always heavily indebted, and very often the standing grain in their fields is pledged to the money-lender, who has supplied the cash for taxes or liquid solace. In fact, the capacity for drifting into debt is one of the grave weaknesses of the emancipated serf, accustomed for centuries to be taken care of and kept under orders. The peasants, therefore, had no cash in hand, and the sudden fall in the price of corn was nothing short of a calamity for them. They could not hold on, and they could not sell for more than a song. The corn-dealers were preparing to

swoop down on them, when, quite unexpectedly, Witté came to the rescue. He instituted a new policy, a vast extension of a system practised to some extent in British India. First, he bought up, at the former market rate, vast quantities of corn for the Russian Government; as the latter has normally to provide for a standing army of a million men on a peace footing, and as the soldiers do not get much meat, the Government is always an immense buyer of corn. Witté decided to buy for two years at once, and thus saved the peasants from the hands of the spoilers. He did more, however; he devised a system of State advances on corn, under which the peasants could either deposit their corn in the Government granaries, and borrow on it as collateral; or, where their own barns were in good order, simply hand over the keys to the officials, and get their loans forthwith. In this way, those who wished to sell were given an opportunity to sell, and those who wished to hold on could do so; the treaty with Germany, which came into force soon after the October conference, presently opened the doors of the market, prices went up, and those who had held on were able to sell at a profit, repay their loans and put a surplus in their pockets.

This was going to lengths in paternalism which would seem to us little short of State Socialism; and it cannot be denied that Witté is an ardent disciple of paternal principles. As the Tsar is the father of his country, so his Finance Minister is to be the country's business manager, putting a finger in every pie and guiding all kinds of commercial and industrial enterprises. This paternalism is shown in Witté's Far-Eastern policy, which occupied the next great period of his career.

We have been told, and truly, that Witté was from the outset a strong opponent of war with Japan. We must perceive, however, that he was just as ardent an advocate of the policy which made war with Japan almost inevitable. Not even Alexeieff himself was a firmer believer in Russian expansion toward the Pacific. Nor is this to be wondered at, when we consider Russian history and see that Russian extension eastward was an inevitable and almost unconscious process for centuries, ever since the Cossacks overtopped the Ural Mountains about the time of Shakespeare's birth. From that day onward, the advance eastward was unbroken, until it embraced Alaska and many of the islands on the Canadian coast.

On this point of Russian expansion, it is worth while to quote Witté's own words:

"China, Japan and Korea, he says, whose population numbers half a billion, and whose share in the world's commerce already exceeds six hundred million rubles, with the help of a great railroad affording all the means for quicker and cheaper communication and exchange of merchandise, will come into much closer relations with Europe, the market of high industrial culture, which makes demands for the raw material of the East. Thanks to the Siberian Railroad, these countries will also increase their demands on European manufacturers; while European knowledge and capital will find a new and extensive field of activity in the discovery and exploitation of the natural resources of Oriental lands. The Asian Orient was, until recent times, almost an unknown world to the peoples of Europe, living its own isolated life for millenniums, aloof from the civilization of the West, and working out its own national culture. The completion of the Siberian Railroad opens to Europe the door to this closely barred land, bringing us face to face with the numerous branches of the Mongolian race. The continued seclusion of the Oriental peoples becomes quite impossible. It is, of course, difficult to foresee all the changes which will be brought about by the coming contact of the yellow and white races, but it is certain that for Russia this contact will bring grave problems."

It is worth while to remind ourselves that the greater part of the Siberian railroad was built during the years when Witté ruled at the Ministry of Finances; consequently, he was called on to pay the bill, and the way in which he did it is one of the greatest financial achievements of recent years. Until he came into power, Russia had suffered from a chronic malady of deficit budgets; every one had grown so used to this that it wore the aspect of natural law. But Witté changed it all, and not only made both ends meet, but cleared a surplus year by year; a surplus which he devoted to paying for the Siberian railroad, which thus became a State property of the highest value. During the same period, Witté was steadily introducing the gold standard into Russia, putting gold in circulation instead of paper, and piling up a gold reserve in the Treasury vaults at St. Petersburg. This is another point of likeness with President McKinley, and it once more illustrates the Americanism of Witté's mind. The prophecy that the contact of the yellow and white races would bring grave problems for Russia, has been fulfilled with a fulness and tragic force that must have disconcerted the prophet.

Indeed there is a note of pathos in Witté's connection with

the whole Eastern imbroglio. His was the intellect which wisely conceived great plans, his the will and knowledge which carried large creative schemes into effect, not only supervising the thousand details, but, by skill and mastery in other regions, supplying the funds for the vast outlay these schemes made necessary. And now that other and lesser men have brought his vast edifice to ruin, in spite of his warnings and protestations, he is once more thrust into the breach, to try to patch up as well as may be the destruction so wantonly and criminally brought about. Who can fail to detect the note of pathos in the following passage, written by Witté about two years ago, on his return from a prolonged visit to Manchuria?

"On the Manchurian Railroad no less than fourteen bridges have been constructed with a span of more than seven hundred feet. Of these bridges, those at the two crossings of the Sungari River have a span of from two to three thousand feet, so that the bridge over the Sungari River near Harbin is one of the longest bridges of Russian construction; it is surpassed only by the bridges over the Volga and the Amur. The average height of the bridges on the Manchurian Railroad is thirty-three feet, while on the adjacent sections of the Siberian Railroad the average height is only twenty-one feet. All the larger bridges have metal frames resting on stone piers, founded on caissons. Amongst the bridges, attention is attracted by the stone arch bridges, which have found considerable application, and which are everlasting, needing no repairs. All the bridges and similar works are well done, and special attention has been paid to giving the bridges a sufficiently wide span, and to carry their foundations to such a depth as to insure them against being carried away by floods. The works I examined were all most intelligently carried out, with all modern technical improvements. In connection with the construction of the railroad, it is necessary to provide for the spiritual and moral needs of the railroad employees; to build churches, schools, libraries and the like."

It is not now a question of buildings that are everlasting, or of the spiritual needs of Russian employees in Manchuria; and it is pathetic to think that Minister Witté's technical knowledge will be most useful in crying up his country's wares, and persuading the victorious Japanese to allow a good price for the improved property which he is called on to turn over to them.

Even more pathetic is the impression produced by Witté's descriptions of Dalny and Port Arthur, the former being in a special sense his own creation. He speaks of the fine wharves, the stately public buildings, the offices, libraries, churches and

streets of warehouses, and it is evident that, while he was writing thus in the spring of 1903, he was looking forward to generations and centuries of Russian growth and development along the China Sea and out into the Pacific. The sentences quoted show how abstract and matter-of-fact Witté's style is; in the few lines that follow, he comes somewhat nearer a personal note:

"When I went over the line, the special train which carried me went from Manchuria station to Harbin station in fifty hours, and from Harbin station to Dalny station in fifty hours, although at every station, and likewise at several of the more important works, stoppages were made for inspection, while the speed of the train on the circuitous temporary sections was very moderate; and, generally speaking, the train went slower than the condition of the line demanded. Therefore, we are justified in expecting that when the line is open for regular traffic, it will be possible to make the journey from Manchuria station to Dalny station in four days, and consequently the trip from St. Petersburg to Dalny will take about sixteen days, and to Vladivostok about fifteen and a half days."

The trip to Manchuria was undertaken at the close of ten years' hard work as Minister of Finances, and, shortly after his return, Witté pressed his resignation on the Tsar. For some time, the current had been drifting against him and his policy and ideas, and other counsels were prevailing at Tsarskoe Selo and the Winter Palace. It became irksome for Witté to find himself forever thwarted and misrepresented by cabals, and his whole nature rebelled against the policy which Admiral Alexeieff was advocating, in spite of the protests of Japan. The Emperor listened to Alexeieff and turned a deaf ear to Witté, so the great Minister of Finances was fain to turn his office over to one of his pupils, while he himself received the somewhat empty dignity of President of the Committee of Ministers. He knew how to accomplish much in that almost ornamental post, however; and his next great work should in itself secure him lasting fame.

This work is so recent as to be in all our memories. It is the great Act of Religious Liberty which was promulgated by the Tsar on Easter Sunday of the present year. Witté's great religious reform removed abuses which had been galling some of the noblest minds and greatest hearts in Russia for centuries, and attained a result which will do more than anything short of sound representative institutions to restore the body politic of his nation to health. From the beginning, Russia had recog-

nized only the State Orthodox Church, and merely tolerated other Christian or Moslem forms of worship. To seceders from the State Church small mercy was shown, and special pains and penalties were inflicted on those guilty of seducing children of the Church from their allegiance. These were not merely ghostly terrors, but fines, imprisonment, loss of property and endless affliction and vexation; so that few fates were harder than that of a Russian who, born within the National Church, wished to worship God in some other way. All the animus of the Inquisition was there, especially since Pobiedonostseff has dominated the Synod; and he would have found it in his heart to revive not only the spirit but the methods of the Holy Office. These persecutions fell with especial keenness on the Old Believers, who simply perpetuate an older form of the State Religion, reformed just before the days of Peter the Great. The sufferings of these religious conservatives were especially bitter and undeserved.

All this cruelty and bigotry Witté's great and liberal measure has brought to an end, and, though certain disabilities are still laid on the Jews, yet it may be said that Russia now enjoys a large and long-desired measure of religious freedom. Curiously enough, no particular protest from the clergy impeded this reform; in the Church, it is as in the secular government; all power is in the hands of a reactionary and unscrupulous clique, headed by Pobiedonostseff, while the vast body of the Orthodox, including the rural priests, are liberal in their beliefs and views.

This reform suggests the great possibility which now lies before Minister Witté, and which, in its importance, may overshadow all that has gone before. Is his appointment as Peace Plenipotentiary a sign of a genuine repentance? Will his return from the Peace Conference be marked by a new lease of power, or, on the contrary, will jealousies and court intrigues, the malice of the lurking whisperer and the envy of the incompetent prevail against him and doom him once more to impotence and seclusion?

All lovers of Russia ardently hope the former alternative will be realized. Witté has inspired confidence throughout the whole civilized world, as a man of good-will, of honest heart, of immense fidelity and constructive power. He and he alone, if an international vote were taken, would be deemed fit to grapple with the immense problems which lie in the path of his country.

CHARLES JOHNSTON.

PRESIDENT CASTRO'S MESSAGE.

BY A VENEZUELAN CITIZEN.

THE following article was written, at my special request, by a Venezuelan gentleman who is peculiarly fitted to deal with General Castro and his remarkable system of "graft" and spoliation. The American public already know what the Castro system means; herein is presented Castro himself, shameless, vainglorious, irrepressible. I have taken the liberty to revise the text somewhat for the sake of clearness; but I have preserved the author's meaning as scrupulously as he has that of President Castro where he quotes from his unique message.

G. M. L. BROWN.

THE Venezuelan Congress assembled at Caracas on the 23rd of May. For many decades it had been customary for the legislative body of the nation to meet on the 20th of February; but this year a new date was chosen in commemoration of the day, six years ago, on which Cipriano Castro set out, at the head of a band of mountaineers, to overthrow the government of his predecessor, Andrade; as well as to celebrate his election for a further period of six years as "constitutional" President of the Republic. The records, of course, had to be sent in from the different States and the balloting was to be carried on in Congress; but, it being a well-known fact that nobody dared cast his vote against the country's master, the officials were so well aware of the result of the pseudo-elections that everything was prepared beforehand, as in a theatre, for the different scenes of the play.

One of the most curious features of this farce, one that will amuse the foreigner as it has astonished the good Venezuelan, accustomed as he is to these "*coups d'effet*," is the now famous message of Castro, read at the opening of his appointed Parliament. One would look far among the annals of self-governing nations to find such an accumulation of bad grammar, falsehoods and egotistical boastings, so crudely prepared withal, and so

brazenly presented to an outraged public. A short review of some of the principal points of this message is herewith presented to the American people, and the writer only regrets that space forbids reproducing the message in its entirety.

The key-note of the message, as will readily be seen from the extracts presented, is self-praise; but the comedy is so overacted, that it provokes disgust rather than merriment. If you listen to him, there is no other country in the world so happy as Venezuela,—not having been so fortunate, forsooth, as to have a Cipriano Castro as ruler. The country is in an exceptional state of prosperity: all the industries are so flourishing, and the natural resources being so quickly developed, that the people cannot sufficiently bless this golden age of the "Restoration." Justice and equity have been maintained "at a high standard, rarely to be witnessed under the unsettled conditions of a country like Venezuela."

Castro begins his message by suggesting that "perhaps it has been through a very happy coincidence that Congress had the opportunity of opening its session on the very day, the very date and the very instant when the Restoration of the Fatherland began, on the borders of Tachira, with a handful of faithful partisans, who brought their flag, majestically flying, to Caracas, the birthplace of Bolivar, the Liberator." With this he modestly points out that the two great revolutions of the country (the first of her independence, and the second of the Restoration, headed by himself) are "interwoven in such a flattering form as to offer the best omen for the effectiveness of all the great, noble and patriotic achievements of Congress and himself, under the guidance of the God of nations, in the true confraternity of the people." After this eloquent preamble, he assures the Senators and Deputies that "it is not alone the hopes of our nation, but of *the whole world,* which are dependent upon your wise and well-designed deliberations."

After having ruled for nearly six years in violation of all statutory enactments, after having twice revised the Constitution to make it suit his own desire to remain in power for at least twelve years (as he predicted at the beginning of his usurpation), after having exposed Venezuela to a constant succession of humiliations and calamities, not the least of which was the shameful adjustment of the foreign claims by his ignominious surrender

to the terms of the protocols, this self-styled hero has the audacity to declare that his régime "marks positively the first step of the Great Venezuela upon the path of prosperity, of true civilization, peace, dignity, justice," etc., etc., *ad nauseam*. These and many other pompous phrases, of course, were employed for the purpose of mesmerizing the ignorant classes, especially those of the interior, where they see or hear read to them only the official publications, and such newspapers as have managed to survive by a base sacrifice of independent criticism to a servile flattery, often indeed couched in language as high-sounding and ridiculous as the utterances of the Dictator himself.

Further on he says:

"It is only to-day that our great and monumental work begins, since the majority of the people are at last thoroughly convinced of the *sincerity and good faith* with which we act. Should any one remain abroad, the work of time will disabuse his mind of the error into which he has fallen, showing him that the programme of the Restoration will not stop, founded as it is not only on the basis of law, reason and right, but also upon the conscience of all well-intentioned Venezuelans. What greatness, what power and what glory do I perceive for our beloved Fatherland at this moment of supreme happiness!"

Everybody knows that the so-called process of revising the Constitution was in reality an arbitrary act of Castro himself, so that the following passage will be duly appreciated in all its absurdity:

"I can assure you that this régime, which is marked by the greatest splendor, the most absolute orderliness and the highest glory is the legitimate child of the Liberal Cause of the Restoration, and equally of the universal demand which led to the amendment and reform of the fundamental charter [*i. e.*, the creator of this millennium was thereby enabled to continue in office]. This revision of the Constitution is the only case in the pages of our civil history where the process has been carried out in a perfectly orderly manner, backed by the force of public opinion, so that the Provisional Power [that means Castro himself] has had no other alternative than to submit reverently to the demand of the nation, as unanimous as it is decided and spontaneous!"

As a matter of fact, which no one in his senses will dream of denying, the people of Venezuela had as much voice in this matter as had the inhabitants of central China, no more, no less.

The President next relates that, having been convinced that it was the wish of the people, and in order to strengthen the bonds

of sympathy between the Government and the Nation, he recently undertook a tour of the country, which he does not hesitate to describe by the term "*patriotic journeys,*" on account of the important results that have ensued. He dwells on the minutest details of the itinerary, but omits mentioning the most important part of the story—the sad fact that the cities and localities that he visited were put to an enormous expense in receiving and entertaining this New World Tsar and his extravagant suite, and that many poor citizens who have not yet recovered from the evils of the last revolution, besides having been reduced to the verge of bankruptcy and ruin by the extra taxation that Castro himself created, were forced to make pitiable sacrifices in order to subscribe to the entertainment fund, as nobody would dare risk, by a simple refusal, the dangers of blackmail or imprisonment, or both. This is not exaggerated—it could not be.

Another "important result" that he omitted from his message is a Homeric episode which has now become a national scandal. In this case there was no Menelaus, and the Zeus was the chief steward of the Steamer "Delta," of the Orinoco Line of Steamers, of which the modern Paris is the principal stockholder. He met the pretty Helen at Ciudad-Bolivar, and straightway issued a verbal edict which insured her presence at every dance and private function while he was there. Society, indeed, so pitifully was it beholden to his wishes, received this girl with every mark of honor, a humiliation that any one who does not know the traditions of the "best families" of a Spanish-American city cannot possibly realize. On his return to the capital, moreover, the President despatched the "Bolivar," the first gunboat of the Venezuelan Navy and the only vessel at that time in commission on the Caribbean coast, to the Orinoco to convey his paramour to La Guayra. The "Bolivar" performed its high mission, and the willing Helen was duly added to the already extensive, though scattered, harem which disgraces the fair capital. Fortunately, however, Caracas need fear no avenging army.

An eloquent proof of the maladministration that exists under the Castro system is afforded officially by himself in the same document. He says in part:

"I here recommend to you the law placing upon every official full responsibility to the Nation, a law that must include everybody from the President of the Republic down to the last policeman, as it is a

proven fact that, through the deficiency or absolute want of a law specifying the nature of this responsibility, an integral part of our Constitution has become a dead letter."

This is as absurd as it is misleading. Our statute-books and penal codes deal fully with this matter; and, if the President wishes a new law, it is unquestionably for the purpose of evasion or with some other ulterior motive. At all events, if our laws have been shamelessly disregarded in the past, what guarantee can *he* offer for the future—he, the very chief of sinners? Had Cipriano Castro been at the head of a really civilized country where the law is impartially executed, he would have found legislation enough in existence, relative to the responsibility of public officials, to have relegated him long since to a close cell and simple diet.

Referring to international relations, he becomes more specific. "Our friendly relations," he says, "have been cordial, comparatively speaking, with Great Britain, Germany, Italy, France, Chili, Holland, Belgium, Spain, Argentina, Brazil, Sweden, Norway, Nicaragua, Guatemala, Panama, San Salvador, Mexico and the United States, etc." All amounts, he informs us, due by Venezuela in compliance with the decision of the Hague Tribunal, have been faithfully paid to the allied blockading nations; and, with the coolest assurance, he asserts that there will be no reason at all for any further claims whatever. In this section, there is a special paragraph concerning America. Here are his exact words:

"It is only the United States Government with whom, for reasons beyond our control and for which we admit no responsibility, we have had a slight misunderstanding. Our Court of Chancery, however, has maintained the legal points of our contention, and this seems to have put the facts in the true light, if we can judge by the measures lately adopted by the said Government in favor of a strong, cordial friendship. The matters referred to are those of the Bermudez Asphalt Company and the Orinoco Steamship Company, the latter having been decided by the umpire of the American Mixed Commission; according to the protocols arranged by Mr. Bowen, who endeavored to submit it to new arbitration. The Venezuelan Government could not yield in these matters, as the sovereignty and independence of the Republic were therein compromised, great as may have been the aim of the Government in its international policy to maintain the greatest cordiality and an uninterrupted friendship."

In regard to Venezuela's relations with Colombia, which Castro has done his utmost to disrupt, as Venezuelans equally with Colombians admit, he calmly asserts:

"It has not been possible to re-establish our official relations with the Government of our sister Colombia, as was our desire, in spite of the fact that our friendly relations with the chief of that nation have remained unchanged. The fault of this does not lie with the Venezuelan Government, as is well known by the persons who must know it and have interfered in this important matter."

Although in places our translation is slightly free, so that the text may be intelligible to the American reader, who is a novice, perhaps, in the art of unravelling the abstruse absurdities of a Spanish-American orator of this type, in this case our rendering is faithfully literal. Whom he refers to, we confess we know not, as he is hardly frank enough to condemn himself, and Colombia has everything to lose by the existing unfriendliness, as many of her eastern towns are cut off from the sea and are becoming practically bankrupt, hence would do everything except sacrifice the national honor to restore mutual trade relations.

Dealing with the Army and Navy department, Castro has difficulty in restraining his elation. Here are two paragraphs:

"The progress that we have made up to the present, in the midst of continuous and exhaustive campaigns, is of a surprising nature. . . . The ammunition, in spite of the large amount used in our internal disturbances, is abundant. Barracks, magazines and forts, etc., have been repaired and new ones constructed. The state of our army is well known to-day throughout the whole Republic, and it gives real satisfaction to see its efficiency and morality, its victuals and its elegance. (!) I feel proud of it, not only because it is exclusively the work of the Restoration, but because of the glory we Venezuelans derive from having an army that does us honor."

What follows will be appreciated by those who have read the numerous exposures of the remarkable system of "graft" inaugurated by Castro—a system that literally "grabs" the entire resources of the country, federal, provincial and municipal, returning a few grants, often for the most useless purposes (for instance, a statue, perhaps, where the town requires a dozen improvements, or a new barracks where the sewers are broken and public health in jeopardy), with such a blare of trumpets withal that one would suppose a Rockefeller had parted with all his millions, instead of

the servants of the people having merely returned to the people a slight fraction of the enormous revenues that have been exacted. Let us now have Castro's side of the question:

"In the Internal-Fiscal departments, as well as in those of Progress and Public Works, what has been done is really so astounding that, even if I did not wish to mention them, the public works already carried out and those in the course of construction would speak for themselves. To have an exact idea of everything it is necessary to study their analysis in the respective reports sent in by the Ministers. For a comparatively synthetical message like this, it will be enough to consider that there is not a single State in the Republic that the munificent hand of the Restoration has not reached: buildings of all kinds, lazaretti, hospitals, temples, art and professional schools, colleges, primary schools, barracks, military headquarters, fortresses, government houses, town halls, universities, theatres, etc.; cart-roads, mule-tracks, water-works, drainages, public plazas, bridges, jetties, customs and warehouses, etc.; and a telegraphic net covering the whole Republic, such as very few countries are able to boast of, attended by a numerous body of employees, who meet perfectly well all the needs and requirements of the Nation—all these are truthful witnesses that nowadays the Supreme Rulers do not come to render account before the Sovereign Body of the Nation with mirages and excuses. It is indeed inconceivable how this régime, in such a short time, has been able to achieve all that I have enumerated."

The last remark, at least, is true: so inconceivable is this miraculous achievement, that no one that the writer knows of, barring Castro, has conceived it, though Congress sat in respectful silence gazing upon the imaginary structures he pictured, a more stupendous "mirage," to quote his own words against him, than was ever seen in the heart of the Sahara. Perhaps, indeed, he confused accomplishment with intention and thought of the bridge across the Orinoco, which he generously promised the citizens of Ciudad-Bolivar, a bridge, be it known, that will exceed the famous Brooklyn bridge about four times in length and at least ten times in cost. This remarkable structure, we should add as a warning to tourists, will not be opened to traffic for some time to come!

"Do you wish more?" he asks. And he answers:

"Well, here you have it: the twenty-two and odd million bolivars owed by former Governments to the Bank of Venezuela have not only been paid, but we have to our credit 1,594,000 bolivars *plus* two and a half millions in bonds and cash in the Treasury. The Government, furthermore, has secured and set aside five million in gold and silver,

which will be the basis for the establishment of the National Hypothecary Bank. Not only were the five and odd million of the peremptory claims paid to the allies, but also 10,075,000 bolivars corresponding to the 30 per cent. of the pledged revenues."

Congress, of course, takes Castro's word for it. He does not demean himself by presenting a detailed statement; no books are necessary, no vouchers offered. There may be the sum stated in the Treasury, or there may be nothing; or, for appearance' sake, he may even have magnanimously loaned the Government from his private exchequer. In any case, the Nation is in much the same position as the creditors of the Humbert securities in Paris: when the safe is opened they will know.

After this hurried excursion into the realm of finance, he undertakes a general review of the past year, which he chooses to term his "provisional period." His cloak of modesty, it will be noted, which he has been gradually divesting himself of, is now suddenly flung from him, and the incredible effrontery of the man becomes apparent. Is it not enough that Venezuela is pillaged, robbed of her free institutions and debased before the eyes of the whole world? Is it not enough that the innocent suffer and perish under his relentless hand? Has the Nation to sit before her ruthless enemy and bear every insult? Hear him:

"I have worked incessantly to do good, all the good possible. I have remedied as many hardships as I could. I have dried up tears that I know well have not been shed for my cause; so much so that, during the journeys I have referred to, among other things, I have granted freedom to more than two hundred political prisoners, following, in so doing, besides my natural inclination, that wise principle stated by Cervantes in his immortal 'Don Quixote': that, although God's attributes are grand, mercy shines more than justice and overpowers it. In one word, I have ruled: I have fulfilled my duty, and, confronted with the facts achieved, I speak unreservedly with the confidence of success. Here is my political, administrative and even social work, with their results, at the presentation of all which I submit, according to law, to your judgment and your verdict; a magnificently patriotic work, and admirably grand and portentous if you study it in the light of historic comparisons. All this I say without vanity as well as without scruples of modesty, as I believe that no honest man can be said to boast of facts resulting from the fulfilment of duty."

The message closes with these words:

"Citizen Legislators: I hope you will not misjudge that I dedicate this message—the effort of my patriotism—led by a feeling of gratitude

that I will never forget, to my dear parents and to all my comrades at arms, who were willing to fight with me and sacrifice themselves for the welfare of our beloved Fatherland."

The balloting, as already mentioned, resulted in the "unanimous" election of Cipriano Castro, an expected event that was communicated by telegraph in the most grandiloquent language to the remotest corners of the republic. And Venezuela, irresponsible in her misery, feebly cheered the exulting autocrat. "Six years more of poverty and degradation!" said the citizens to themselves, but the bolder ones among them added, "*Quien sabe?*"

This message of Castro's gives a fair insight into the methods of the man and the shamelessness of his régime. It is all a lie, a contemptible farce. One of Castro's first acts on his return to the capital from his "patriotic journeys" was to decree new stamps with his own bust, replacing the sacred effigy of Simon Bolivar; and one of the dates of the Venezuelan Independence was changed on the escutcheon of the Nation to the date of Castro's birth! Another decree issued recently prohibits the foreign trade to all vessels under forty tons burden, the result being that thousands of families all over the extensive coast of Venezuela, mainly on the island of Margarita, are now starving through a capricious stroke of the pen.

If he acts in this way with his own countrymen, what can foreigners expect from this incorrigible dictator? Simply extortion and injustice. Justice, indeed, is an unknown word to the Venezuelan official, and the fate of the unhappy Republic would appear to rest with the very nation which Castro is endeavoring to antagonize.

A Venezuelan Citizen.

WORLD-POLITICS.

LONDON: ST. PETERSBURG: ROME: WASHINGTON.

LONDON, *August, 1905.*

BY the time this letter appears in print, the Anglo-Japanese Agreement will have been not merely renewed, but altered and strengthened. Negotiations to that end have for some weeks past been progressing, with a smoothness that fairly indicates the high value which both London and Tokio place upon their compact. I am informed, indeed, that only one point remains to be settled—the number of troops, namely, that under the new arrangement Great Britain is to maintain in India. When this is disposed of, the seals and signatures of the respective parties will be all that is necessary to convert the restrictive powers of the Alliance into preventive powers. Speaking some two months ago, Lord Lansdowne plainly hinted that the future efforts of England and Japan would be directed, not merely towards confining the spread of a conflagration, but towards making it impossible for a conflagration to occur at all. English opinion has more and more been taking the view that this could be achieved only by a considerable expansion of the Anglo-Japanese Agreement—by its development, in fact, into a hard and fast alliance that would guarantee, by the whole force of both Powers, the Asiatic possessions of each. The terms of the new Agreement will probably not be made public until a formal peace is concluded in the Far East; but there is reason to think that they are of a nature to attain the supreme object I have mentioned, and that for some years to come any Power that attacks Great Britain in Asia will be attacking Japan also: and where is the Power, where is the combination of Powers, that would venture to confront at one and the same time the naval might of Great Britain and the military prowess of Japan? The essence of the revised

Agreement is pacific and defensive. It is a pact—the strongest, perhaps, that in the present state of international politics can be framed—for the maintenance of the *status quo* throughout Asia and the protection of the freedom of commercial intercourse in China. As such, it need arouse no apprehensions. On the contrary, all Powers who are interested in the "open door," and who are prepared to eschew a policy of Asiatic aggression, may, as time goes on, find it to their advantage to join with Great Britain and Japan in still further strengthening and consolidating what is, so far as Asia is concerned, nothing less than a league of international peace and security.

Domestic politics, here, since my last letter, have been marked and enlivened by two Ministerial catastrophes. The first concerned the Redistribution proposals of the Government. Those proposals were published on July 11th in the form of a Resolution of several clauses. Their practical effect, had they been carried, would have been to produce a net gain of seventeen seats to England, of one to Wales, and of four to Scotland, while Ireland would have suffered a net loss of twenty-two. It is not necessary for me to examine the criticisms that assailed these proposals —how some maintained that the scheme would create almost as many electoral irregularities as it removed; how others denounced its inadequacy inasmuch as it still left Ireland with eight more representatives in the Imperial Parliament than her population entitles her to; and how others, again, finding that their own constituencies would be wiped out, were easily convinced that it went altogether too far. The Redistribution Resolution never really came to a head. It was quashed on a point of procedure, discovered and pressed home by that past master of Parliamentary forms and strategy, Mr. John Redmond. The point he raised, and on which he asked for the Speaker's ruling, was this: Could the Resolution be put to the House *en bloc,* or should it be referred to a Committee of the Whole House and debated clause by clause? The Speaker, after a day or two's examination of precedents, ruled on July 17th that the Resolution would have to be split up into eight or nine separate resolutions and referred to a Committee of the Whole. That meant, of course, that amendments could be submitted clause by clause, that members would not be confined (as they are confined when a matter is put to the House and not to the Committee) to a

single speech, and that the debate would thus be continued for days and possibly for weeks. This decision, the only decision that could insure adequate discussion for the Resolution, appears to have been unexpected by Mr. Balfour. Had the question of procedure troubled him, he would have taken the usual course of approaching the Speaker privately beforehand and asking his opinion and guidance. The Speaker's decision not only shattered Mr. Balfour's anticipations, but settled the fate of the Redistribution Resolution. There was simply no time left in which to debate it with the freedom and at the length made obligatory by the Speaker's ruling. All the remaining days of the session were already mortgaged, either by the necessary business of Supply, or by the exigencies of the Aliens Bill, the Scottish Churches Bill and the Unemployed Bill. Mr. Balfour had, therefore, no option but to rise and announce the withdrawal of the Resolution. He added, indeed, that he would next session introduce a Bill to deal with the subject; and that, in the mean time, a committee or a commission would be appointed to examine the question of boundaries; but, as there is no intention of summoning a special autumn session, as Parliament will not in the ordinary course of things reassemble till next year, as by that time the Government is certain to have lost a few more by-elections, as the shadow of Dissolution will be creeping over the House and all the thoughts and interests of Members will be centred on their constituents, and as a Redistribution Bill will be fought by the utmost ingenuity of the Nationalists and but half-heartedly supported by the rank and file of Ministerialists, Mr. Balfour's chances of making good his declaration appear to be of the most remote and exiguous character. This, then, is the way in which the Government handles a matter of first-rate electoral consequence! The country diagnoses the entire incident as an instance of muddling incapacity that, under any other Administration, would have been incredible. There are, however, those who maintain that Mr. Balfour was aware all along of what the Speaker's decision would be, that he deliberately played up to it, and that he really welcomed it as an escape from a highly contentious measure in which neither he nor his followers felt a genuine interest.

However that may be, Mr. Balfour recognized that he owed his party, if not the country, some explanation of his conduct. On

the day following the withdrawal of the Resolution, two hundred and sixty members of the Unionist party met at the Foreign Office. The proceedings were private; but it is known that the meeting was in unaccountably good humor with itself, that Mr. Balfour urged his supporters to a more constant attendance in the House, and that he warned them that the Opposition, repulsed in its frontal attacks, "would have still more frequent recourse to skirmishes in the hope of doing mischief by a snap division at some inconvenient hour." That was on Tuesday, July 18th. On Thursday, July 20th, the Government was defeated in the Commons by three votes on a not unimportant motion brought forward by Mr. John Redmond to reduce the vote for the Irish Land Commission. Nothing under the circumstances could have been more humiliating. For the time of the year, and considering the heat of that particular evening, the House was fairly full—nearly 400 members took part in the division. The Prime Minister only two days before had made an especial appeal to his party to prevent precisely the thing that had taken place. The Whips had reinforced that appeal by notices of unusual urgency. Yet, in spite of all, the Government, whose normal majority on non-fiscal questions ranges between seventy and eighty, was placed in a minority of three. It is true that this result was secured by a manœuvre of the Opposition, which concealed its real strength until the division-bell rang, when unsuspected Liberals and Nationalists trooped in from the terrace, from the library, and from the smoking-room. But nothing could quite explain away the significance of the defeat. It was recognized as one of those incidents which must from time to time occur when a Government that has lost the confidence of the country and feels itself fighting a losing battle, persists in clinging to office. At the same time, nobody was disposed to treat it as being in itself a reason either for the resignation of the Ministry or for dissolution. Mr. Balfour, I am confident, never had the smallest intention of so treating it. The mere fact that the negotiations for the renewal and extension of the Anglo-Japanese Agreement were still unfinished made it, apart altogether from the question of party expediency, almost obligatory for him to swallow the humiliation and remain in office. But he saw his chance of reading the party a lesson by magnifying the incident and by withholding his final decision

for three portentous days. When it came, it was in the form of a fifty minutes' speech, besprinkled with precedents and culminating, as everybody expected, in an announcement that the Government intended to go on as though nothing had happened. Had the defeat stood alone, the country would not have quarrelled with this decision. But it does not stand alone. Mr. Balfour inherited the Premiership from Lord Salisbury. Lord Salisbury obtained a renewal of power in 1900 by a snap election taken in the midst of the South-African War. Since then, an altogether different issue has absorbed public attention, has rent the Cabinet in two, and has driven from it every statesman of first-rate ability. On that issue the Prime Minister has spoken with calculated equivocation. Both Protectionists and Free-Traders support him in the belief that he is really with them, each section being confident that eventually he will throw the other over. The demoralization produced by so much double-dealing has lowered both the Premier and Parliament in the eyes of the country. At by-election after by-election, unmistakable expression has been given to the national disgust. Everybody knows, and Ministers themselves confess, that, when the General Election comes, the Government will be hopelessly beaten. And now, in a single session, the Cabinet has not only brought its principal measure to an ignominious fiasco, but has been defeated on a question that brought up its whole Irish policy. Yet Mr. Balfour refuses to resign. The feeling grows that Mr. Balfour's clinging to office is nothing less than a violation of those silent understandings, those unwritten but none the less recognized compromises, that embody the spirit, and were supposed to embody the strength, of the British Constitution. The immoderate abuse of power in which he has permitted himself to indulge represents, for thinking Englishmen, a Constitutional break-down. Nor is there any remedy in sight, unless Mr. Chamberlain, for his own purposes, comes to the rescue of the Constitution and forces a dissolution in October. That that is his present intention is a fact for which I can vouch. The Chamberlainite organs in the press have received his personal instructions to direct all their energies and persuasiveness to that end. By October, the Anglo-Japanese negotiations will have reached their conclusion, the harvest will be in, and the holidays over. Every month that the Government remains in office adds

to the severity of the defeat that is awaiting it at the polls. The Chamberlainites, therefore, from their own point of view, are well advised in pressing for an October dissolution.

A few weeks ago Lord Roberts declared in the House of Lords that the armed forces of this country were "as absolutely unfitted and unprepared for war as in 1899-1900." Mr. Arnold-Forster, the Secretary of War, traversed that opinion and described it as too sweeping. At a meeting summoned by the London Chamber of Commerce and held at the Mansion House on August 1st under the presidency of the Lord Mayor, Lord Roberts not merely reaffirmed his statement, but justified it in detail. For a war with Russia in Afghanistan, Lord Roberts asserted that not less than 500,000 British soldiers would be required, and that, under her present system, England could not, even by using up every available infantryman of the Regular Army and the whole of the Reserve, and by drawing on the Militia, the Volunteers and the Colonies, mobilize more than 330,000 men on the Indian frontier. But there is a scarcity of officers as well as of men. Lord Roberts contends that, "to bring the Militia and Volunteers up to their full complement and to mobilize the Regular Forces at home and in India," seven thousand more officers are imperatively and immediately required. Again, the medical service, which the Japanese have proved to be worth an army corps of combatants when properly organized, could not, according to Lord Roberts, suffice for 100,000 men against a civilized foe. "I feel certain," concluded Lord Roberts, "that every soldier with any experience will support me when I say that it would be the height of folly for us to enter upon a campaign with a civilized Power, depending on an Army constituted as ours is at the present time." No words are needed to enhance the importance of that declaration. "I, for one," added Lord Roberts, "consider that there is now no option but to introduce universal training and service for home defence." That is a conclusion to which more and more Englishmen are being forced, not only as a solution of the military problem, but for the influence that solution would have on the national physique and character. I should not be surprised if, shrinking from conscription and alarmed by the deficiencies of her voluntary army, England within a decade were to establish herself on the basis of universal and compulsory military training.

August, 1905.

Russia's centre of gravity has for the moment been transported from St. Petersburg on the Neva to Portsmouth in New Hampshire, where her plenipotentiaries, M. Witté and Baron Rosen, are deliberating, in common with Baron Komura and M. Takahira, on the fate of tens of thousands of innocent men, who, before these pages see the light, will have received a lease of existence or a sentence of mutilation or death.

The Peace Conference was inaugurated under seemingly favorable auspices. The American people, speaking in the name of humanity through President Roosevelt, besought the rulers of Russia and Japan to hold their hands, and to endeavor to settle their differences at the green table instead of on the crimson field. Both monarchs responded favorably—with what feelings history fails to record, but political ingenuity enables one to conjecture. Russia had suffered a long series of reverses on sea and land. Her army had been routed and her navy destroyed. She had been driven ignominiously from neutral territory which she had wrongfully occupied and scornfully refused to evacuate. She had lost vast numbers of men, squandered large sums of sorely needed money, forfeited political prestige and lost her status among the first-class Powers of the world. And all this through the prowess of an obscure people whom she despised ineffably. One can well imagine that the summons to a peace conference under these conditions was not a very welcome call.

Nor was that all. At the very moment when President Roosevelt was making himself the spokesman of humanity, the champion of peace, fortune seemed likely to prove her fickleness by smiling upon the arms of Russia. This was no airy fancy: it had as solid a foundation as could well be wished for. The army, in whom the Tsar placed unbounded confidence, deliberately said so and gave cogent reasons for its belief. Linievitch, Mishchenko, Kuropatkin, Batianoff, in a word all the generals and many of the colonels on active service in Manchuria, pledged their word that victory lay within their reach if Oyama should again attack them, and that they themselves would assume the offensive if he hesitated. This anticipation and announcement appeared all the more trustworthy that they were accompanied by a frank avowal of former weakness. "*Pater, peccavimus!* We made many blunders in the past," they said. "We underrated the

enemy's numbers, his bravery, his military skill. We were not well posted as to his whereabouts and his plans. And we could not but be beaten. If our losses were no greater, Russia's thanks are due to the wondrous heroism of the common soldier. But we have learned the lesson of experience. We have measured the strength of our enemy and are become familiar with his ways. Hence we watch his movements with vigilance and prepare with foresight for his attacks. Our troops have also girded their loins. Their numbers have increased very materially since the battle of Mukden, and their fighting qualities have been improving very rapidly. All our soldiers are now well seasoned, the artillery and cavalry are better than the enemy's. We shall demonstrate that superiority when Oyama next attacks us. Hearing rumors that the war would be stopped and peace concluded, we were sorely grieved. But we refuse to believe that the Imperial Commander of the Russian army would deprive his troops of the opportunity of retrieving the honor of the Imperial standard and punishing the enemies of our country. We know that our beloved Tsar would not make peace with an enemy who had insulted the Emperor and the Fatherland,—at the very moment, too, when victory is within our reach. It cannot be. We offer our lives for Your Majesty. We affirm that, within six months, we can change the relative position of the two armies and drive the enemy southwards. Let us show that the glory that of yore encircled the Russian army is not departed!"

That was the gist of the petitions, reports, telegrams and letters received by the Tsar from Manchuria. And, the army being the mainstay of his Imperial house, he could not afford to disregard them. But even ordinary, peace-loving Russians, who felt no such stimulus, were won over by the rumors of this new spirit which was said to be animating the troops. A wave of partiotism rolled over the people or a considerable section of them.

That was the moment when Muscovy was called upon to delegate representatives to the United States with powers to make peace! It was not supposed that they could obtain a treaty without paying for it, nor were there many who did not know or guess that part of this payment would consist in the cession of Saghalin and an indemnity in money. With less than that Japan would not be satisfied, popular rumor affirmed. Official Russia, which was very well aware of this, selected as envoy the ex-

Minister of Justice Muravieff, a man known to diplomatic circles only as the person who, in a speech delivered at The Hague last year, had gone out of his way to offend Japan. That choice almost extinguished people's hopes of peace. The unexpected appointment of M. Witté revived them again.

Witté's name was itself a programme. Moderation had marked his career: he had condemned the policy which led to the war; he had done his best to hinder the outbreak of hostilities, and he had made many determined attempts to bring about peace. Most people thought that they were warranted to conclude that no better man could have been chosen to negotiate a treaty.

There were also sceptics, however, who remarked that Witté had done all these things when in opposition, and that it did not follow that his work as plenipotentiary would be the corollary of his language as fallen minister. But scepticism seldom forms the basis of a popular creed. All this, however, was mere guess-work, and beyond surmises nobody could advance. A few who knew all the available facts imparted to their conjectures a degree of probability bordering on certitude. And if not sceptics they were almost all pessimists.

At the moment of writing, the Conference is still sitting in the red brick house at the Navy-Yard, and without, beyond the precincts of the building, the hopes of peace are high. But the sceptics still refuse to cry "peace" when there are no symptoms of peace. The writer of this letter is one of the sceptics. The grounds on which he bases his opinion are briefly these. From the day on which the present Russian plenipotentiary was appointed down to the present moment, Witté has never ceased to repeat that, while willing to grant important concessions to the enemies of his country, there were two demands which, if made, he would stubbornly refuse to entertain: the cession of the island of Saghalin and the payment of a sum of money in any shape or form. Now, Witté's diplomacy, like Bismarck's, is marked by plain speaking, and nobody has any right to question, even in thought, the sincerity of this important declaration.

The Japanese, on the other hand, were known to include among the terms which constitute their irreducible minimum the surrender by Russia of all her rights over Saghalin and the payment of a sum of money to be termed "the reimbursement of the war costs." The grounds for these claims were notorious

and peremptory. To recede from them would be not merely to wreck the present Government, but to embitter the whole people. And that was more than any Cabinet would dare to do. The feelings of the Japanese nation are but imperfectly realized abroad. We have seen and admired some heroic manifestations of their love of country. But there are others which, not having yet witnessed them, we are literally incapable of imagining. Love of country may easily become a frenzy in the psyche of the Mikado's subjects. It is a sentiment, too, which, like madness, imparts superhuman strength to the frail every-day unit. And it would permeate and electrify the masses, and rouse them against their own Government, if it made peace without obtaining a solid war indemnity and the cession of Saghalin.

In other words, Japan was forced to say: "There can be no peace unless you pay our war costs and let us keep the island we have taken." To which the Tsar was compelled to answer with an emphatic "*Non possumus.*" Both monarchs were sincere. And yet intelligent people professed still to believe in the cessation of hostilities! Baron Komura virtually said to M. Witté: "Unless you do what you say you never will do, we cannot draw up a treaty." And M. Witté audibly replied: "Unless you abandon the claims upon which you say you must insist, you and I can do no business." Can peace be said to have been probable?

Was it even desirable? Politicians who study conditions and weigh words reply, "No." So long as that warlike disposition of the Russians continued which flowed from the conviction that the army had not yet had fair play, peace would be harmful, not helpful. Unless the splinters are all removed by the operator, it is not well that a limb should heal. There are cases on record when a broken arm which is healing has to be broken again and treated anew in the interest of the patient. What the Japanese, the Russians and the civilized peoples of the world want is a peace which will endure. And what a treaty patched up at present would inevitably result in is not a lasting peace, but a miserable few years' truce. Both countries would vie with each other in feverish and extravagant preparations for a still more sanguinary campaign than the present. And the last state of the Far East would be much worse than the first.

For those reasons, it is to be regretted that the ground was not better prepared for the Peace Conference. The first and all-

important condition of success was the establishment of a basis of discussion common to both parties. If Japanese and Russians had been able to agree at least on general principles, the rest would have been plain sailing. If Muscovy had consented to discuss the cession of Saghalin and the payment of money, or if Japan had found it possible to substitute other demands for these, there would have been a fulcrum for the peace lever. But there was none.

The result is that the negotiations which have progressed in appearance, and progressed rapidly, fail to inspire the experienced politician with hope. For the really cardinal clauses dealing with the payment of money and the transfer of territory were temporarily shelved at the very outset, and the discussion of the others is but as the pouring from an empty vessel into a vacuum. Hence the negotiations are marked by an air of unreality which renders outsiders mistrustful. In appearance, Russia is far too generous, Japan much too moderate. It is as though the former were urging the latter to take rope enough—to hang herself. Such, at least, is the impression conveyed by such scraps of authentic information as reach the outer world day by day. Russia's idea—say the Japanese—"would appear to be to get our plenipotentiaries to formulate their demands in language calculated to compromise us in the eyes of the white races, and, that once done, to refuse to negotiate."

It was hardly worth getting the envoys together from the uttermost ends of the earth for that purpose.

It is unwise to prophesy to people who, before they read the prediction, will have witnessed the events which confirm or belie it. Still, it is fair to say that, judging by everything that has taken place since the Tsar and the Mikado agreed to appoint envoys, as well as by the whole course of the negotiations between those envoys so far as one can string them together by means of fragmentary but trustworthy accounts, peace between Russia and Japan appears to be impossible this summer.

The envoys began by exchanging views on the whole subject, so as to obtain a complete and rounded scheme of what they could expect and what would be beyond the bounds of reasonable anticipation. That first encounter made it clear that an understanding was in the highest degree improbable. They then proceeded to analyze the proposals in detail, whereby their pessi-

mistic forecasts were but strengthened. Korea was the first question touched upon, then two clauses dealing with Manchuria, and then the fate of Saghalin was discussed.

Judging by what the Russian envoys say—and as yet one has no better and no other criterion—they are desirous of making peace. But they cannot, they add, barter away the interests of their people. They will stretch a point, many points, every point except *le point d'honneur,* to satisfy Japan. But, naturally enough, they are anxious to avoid the odium that may attach either to the failure of the Conference or to the exorbitant nature of the stipulations. Hence they scrutinize every sentence of every clause; and, whenever the interpretation seems manifold, they call for a change in the wording, and demand either that each possible construction be clearly expressed in so many separate sentences, or else that terms be selected which convey only one. In other words, Japan is being compelled to define clearly her present intentions and future policy in the Far East, and she is well aware that these definitions will be entered to her debit or credit account in the ethical ledger of the civilized world. Hence the bouts of keen sparring and skilful fencing that daily go on between the two peace missions. That, and not a peace treaty, is likely to be the outcome of the present conference.

There was a moment, a very brief moment, when, even in Russia, hopes were entertained of bringing the campaign to a speedy close. But the ways and means were so unusual, so daring, so grandiose that only a Bismarck dealing with a Cavour could have ventured to employ them. Witté suggested that, not peace only, but a defensive and offensive alliance should be embodied in the treaty for which all men were wistfully longing. "Then there shall be no haggling about terms," he added. "For what is odious and impossible to an enemy is pleasant and easy to a friend. If you see your way to change enmity into friendship, I answer for it that we shall return to our respective capitals satisfied with the work achieved, and the world will breathe freely for generations." This belated proposal, made by Russia, was declined by Japan on the intelligible ground that there is no government in Muscovy to-day, and that, whatever price might be set upon Russia's friendship by the Tokio Government, it could not be accepted at present as an equivalent for any of the terms on which alone they were prepared to conclude peace.

ROME, *August, 1905.*

"*Instaurare omnia in Christo*" is the programme which Pius X announced immediately after his election in his first allocution, and this conception has inspired all his work, actions and the choice of his aims during the two years of his Pontificate, just completed. Whenever he has written or spoken to the Faithful he has plainly explained that this programme must not be understood to be applied only in the religious field, but in all manifestations of life, in the social as well as in the economic, in the intellectual as well as in political struggles. Of course, what attracts most attention and arouses intensest interest, both at home and abroad, is the effect which the development of such a programme produces in the relations of the Pope with the House of Savoy, and in those of the Holy See with the Italian Kingdom. Pius X has not ceased to demand the restitution of Temporal Power, and no one would have expected him not to do so, as no other institution is as tenacious as the Church of Rome in maintaining what she calls her rights. For example, even to-day after so many centuries she continues to claim the possession of Avignon. However, since Giuseppe Sarto was raised to the Chair of St. Peter his protests against the spoliation of the Church have lost the vehemence, bitterness and even hatred which characterized them under Pius IX, and especially under Leo XIII, the present Pope giving them the character of a necessity, as, to repeat his own words, "the Sovereign Pontiff in the government of the Church should not only be free, but seem to be free, and under the influence of no power whatsoever." The strongest of the protests of this kind issued by Pius X was when President Loubet came to Rome, he being (not taking into consideration Prince Ferdinand of Bulgaria) the first Catholic ruler who, since 1870, has disobeyed the wish of the Holy See, and has come to the Eternal City as a guest of the Quirinal.

It cannot, however, yet be said how much the strained relations between France and the Vatican, rather than those between Church and State in Italy, have contributed to add strength to the papal protests. In all other circumstances which have come to the notice of the public, the present Pope has shown the greatest deference to the reigning House, this being reciprocated by the members of the royal family, especially by the Princess Clotilde, sister of the late King Humbert, and by Queen Mar-

gherita, his widow, who correspond with the Pontiff. The most significant manifestation of the change which has taken place was given by the visit which the Duke and Duchess of Genoa paid to the Pope on the evening of January 9th of this year, this being the first direct intercourse between a Pope and the reigning House after the fall of the Temporal Power. The manifestations on the other side are not less eloquent. To cite only the most important, it will be sufficient to remember that, when King Victor Emanuel II went to Bologna, in the spring of 1904, Cardinal Svampa, the Archbishop there, on instructions received from Rome, greeted the grandson of the "usurper" and accepted his hospitality, although the Cardinal represents the chief diocese of the ex-Pontifical States, after Rome. Also when the young Italian Sovereign, last February, took up the initiative of Mr. David Lubin of California and convoked an International Agricultural Congress in Rome, the "*Osservatore Romano,*" official organ of the Vatican, by the direct orders of Pius X, praised and exalted the enterprise of the King in the warmest terms.

This would have been impossible under Leo XIII, whose policy consisted in opposing all international action on the part of Italy, and especially international gatherings in Rome, even the most insignificant, as, for instance, the Penitentiary Congress of 1885, it having been considered that these assemblies had the effect of confirming the *status quo* and strengthening the position of the Eternal City as the Capital of the Kingdom. It is still remembered that, when, in 1894, the International Medical Congress met in Rome, Leo XIII refused to receive those members of it who had asked for an audience, merely because they had adhered to a Congress called forth by Italy in the centre of Catholicism. Pius X, on the contrary, received most cordially all the members of the International Agricultural Congress, both Catholic and non-Catholic, who asked for the honor. And, finally, an evidence of benevolence has occurred just in these days. The Duke of Aosta having been transferred from Turin to Naples, to command the army corps there, one of the first visits he received was that of Cardinal Prisco, Archbishop of the province, who presented his homage and his professions of loyalty, while, up to a few years ago, the religious head of the largest town of Italy was still considered as a supporter of the Bourbon Pretender.

Not less important is the change which has taken place in the

relations between Church and State. Pius X, faithful to his programme of "*Instaurare omnia in Christo,*" for the good of the Church and the triumph of religion, at once understood that the state of latent war with the constituted authorities must cease, as it went only to the advantage of the subversive elements, which, if they are the enemies of the present monarchical institutions, are not less enemies of the Papacy. He, therefore, began on a larger scale, for the whole of Italy, what he had already accomplished for the Venetian Provinces in the ten years he was Patriarch of Venice, where he was on the best of terms with the Government officials, and had succeeded in strongly allying the Catholics with all the Conservative and Moderate parties, so as to entirely defeat the advanced and anti-Clerical sections. In Italy a concordat between Church and State does not exist; but, as the fund for worship is administered by the State, the Bishops appointed by the Holy See cannot fully exercise their functions and receive their stipend unless they are accorded the *exequatur* from the Government. Under Pius IX and Leo XIII, there were classic struggles over Bishops appointed by the Vatican and not recognized by the Government on account of their ultra *intransigeance,* the only result being that dioceses, sometimes very important ones, remained for years in a kind of ecclesiastic anarchy, the chief damage being to the prestige and influence of the Church. In the two years of the present Pontificate, not a single case of this kind has had to be deplored, as Pius X will not proceed to the nomination of a Bishop without having first informally received the assurance from the Italian Government that the nominee will be *persona grata* and receive his *exequatur* the moment he is appointed. This tacit but practical understanding between the two powers showed itself even more evidently in the general elections of September, 1904, when, in several constituencies, the candidates to be supported both by the Government and the clergy were discussed and agreed upon between the Vatican and the Ministers of the King, the result being the greatest defeat ever inflicted on the subversive parties. The strangest circumstance is that this should have taken place while there was in power a Liberal Cabinet, like that of Signor Giolitti, and that it should go on under the present one, whose Premier, Signor Fortis, is just as Liberal, and was originally a fiery republican who conspired against the present Monarchy,

and was arrested and handcuffed by the carabineers of the present King's grandfather. Only fifteen years ago, what takes place now would have been absolutely impossible, as all Liberal Governments would have rejected any advance for an understanding with the Catholics, considering that it was a necessity of their principles to be strongly anti-Clerical, while the mere suspicion that a Conservative Cabinet had anything to do with the followers of the Vatican would have been enough to overthrow it. The change is caused by the fact that the Holy See was then constantly working against the interests of Italy, being ready to give support to any enemy of the young Kingdom, both abroad and at home, should it be Republic or Empire, followers of deposed rulers or subversive parties, all of which was conducted with the strongest organization that has ever existed, employing diplomats and the press, the pulpit and all active propaganda, enjoying at the same time such liberty and protection as could scarcely be found even in countries where Church and State are in cordial relations.

This situation was very unpleasant, especially for those religiously inclined, who could not be at the same time good Catholics and good patriots.

One of the devices adopted by the Church against the State was that of prohibiting Catholics, through the famous "*non-expedit*," from participating in political life, thus representing in their eyes a public, solemn and continuous protest against the loss of the Temporal Power, so much so that on election day most of the Clericals used to send their electoral slips to the Pope as a sign of their loyalty. With the passing of the years the Catholics, however, saw the necessity of changing their attitude, which deprived them of all power and influence, to the entire moral, economic and social advantage of their enemies. They gradually abandoned their passive and anti-patriotic tactics, and succeeded in having their participation in public life sought for both by the Conservatives, as a new element of order in their favor, and by the Extremists, who wished, as they said, to challenge all the forces of reaction put together. But there was still a difficulty.

Although the Clericals had to some extent participated in the last general elections, not only supporting the parties of order, but actually electing three of their own candidates, the

Pope had not yet officially removed the "*non-expedit.*" For this, the last encyclical issued by Pius X has provided. It is a very diffuse and important document, having all through, as a refrain, the Pope's programme, "*Instaurare omnia in Christo,*" and pointing out what a help it will be for the realization of this if all ranks of Catholics will "unite their living strength to fight, with all right and legal means, anti-Christian civilization, repairing the very grave disorders derived from it; bringing back Jesus Christ to the family, to the schools, and to society; reestablishing the principle of human authority as representing that of God; taking greatly to heart the interests of the people, and especially of the working and agricultural classes; not only instilling in the hearts of all religious principles, the only true font of consolation for the sorrows of life, but studying to dry their tears, relieve their pain, ameliorate their economic condition with appropriate measures; working to have laws based on justice, correcting and suppressing those which are opposed to it; finally defending and supporting, in the truly Catholic spirit, the rights of God in everything, and those, not less sacred, of the Church." After having recalled how the Church, in the long course of history, has always and in every case shown a marvellous capacity of adapting herself to the varied conditions of life, the encyclical urges Catholics to organize themselves well, in order to be able to exercise profitably all their rights, including that of directly participating in the politics of the country. Addressing himself to the Bishops of Italy, he says: "Very grave reasons prevent us, Venerable Brethren, from deviating from the rule already decreed by our predecessor of sacred memory, Pius IX, and followed by that other our predecessor, of sacred memory, Leo XIII, during their Pontificates, according to which the participation of Catholics in legislative power is generally forbidden in Italy. However, other reasons equally grave, inspired by the supreme good of society, which must at any cost be saved, may require that in particular cases a dispensation should be obtained from this rule, especially when you, Venerable Brethren, ask for it, recognizing the strict necessity for the good of souls and the supreme interests of your churches."

Although it is given in a cloudy indeterminate way, as is the custom of the Vatican, which wishes to have a door open for retreat if necessary, the encyclical practically puts an end to the

"*non-expedit*," represents the most important document of the kind issued since 1870, and marks an historic date in the relations between the Papacy and the Kingdom, opening at the same time the vastest field to Catholic action in Italy. The votes of the Catholics, and the presence of their representatives in the Chamber, may have a most salutary effect on Parliamentary institutions in the peninsula, especially in promoting the resurrection of the two great historic parties, Right and Left, Conservative and Liberal, which had divided Parliament until 1870, both aspiring to be the Makers of Italy, but differing in methods.

All points to the conclusion that the abolition of the "*non-expedit*" will not be the last important change which will take place under the present Pontificate. Indeed, the rumor continues persistently that Pius X wishes to leave the Vatican, and thus put an end to the legend of his being a prisoner; but he is waiting to do so for an occasion which will be suitable, especially in the eyes of foreign Catholics, upon whom the Holy See is so dependent with regard to financial means. For this same reason, the question of the Pontiff's accepting the yearly allowance of 645,000 dollars granted to him by the Law of Guarantees, of May 13, 1871, while it is most significant that it has arisen now, has not been decided in the affirmative, it being feared that it might produce a decrease in the Peter's pence greater than the advantages of accepting it. The sum granted by the Law to the Pope is equal to that of the budget of the Pontifical State when Rome was taken, for the keeping of the Pontiff and for the various ecclesiastical needs of the Holy See, as well as the maintenance and custody of the Apostolic Palaces and dependencies. Neither Pius IX nor Leo XIII ever touched this money, and what is now being discussed is whether, in case Pius X accepts it, he is entitled to receive also the arrears and the accrued interest, which would represent a capital of over 25,000,000 dollars, and this, invested in Italy, would bring in about a million dollars a year. There is, however, great hesitation, as once it were known that the Pontiff had come into possession of so large a sum the Peter's pence will certainly fall off enormously. The poor man who now gives his five cents with difficulty will then argue that the Pope, having about twenty times as much as the President of the United States, will not miss his mite, and he will keep it in his own pocket.

WASHINGTON, *August, 1905.*

THE principal topics discussed in the Federal capital during the last thirty days have been the progress of the peace conference at Portsmouth, which Mr. Roosevelt's friends naturally hope to see result in a Treaty of Washington, and the President's announcement at Chautauqua, on August 11th, of two cardinal features of the policy of his Administration, the one relating to internal affairs, and the other to international relations. If the outcome of the negotiations between Russia's plenipotentiaries and those of Japan should be the assurance of immediate and permanent tranquillity in the Far East, our Chief Magistrate would be credited with having rendered a great service to mankind, and his personal prestige would be signally enhanced in the eyes of all foreign peoples. He would have demonstrated in memorable fashion that "peace hath her victories no less renowned than war." What some persons overlook, however, is the fact that, even should the conference prove abortive, the procurement of the assent of the belligerents to a meeting was of itself a remarkable achievement. Pride and dignity would not permit the St. Petersburg Government to address itself directly to Tokio with a view to putting an end to hostilities, and the Mikado's advisers were convinced that the time had not yet come for them generously to intimate that a conciliatory overture on the part of their opponent would be welcome. They were thoroughly aware that, although the Russian navy had been practically annihilated, and although Port Arthur and the island of Saghalin had been surrendered, Russia still occupied a large part of Manchuria, and had at her disposal in that region an army believed to comprise some four hundred thousand soldiers. Under the circumstances, the Mikado's advisers could hardly bring themselves to believe that the St. Petersburg Government could as yet be in the mood to accept conditions of peace which Japan deems indispensable, if she is to safeguard herself from the necessity of renewing the war one or two decades hence. On the other hand, they were keenly alive to the financial burdens which might have to be imposed upon their country, should the present contest be prolonged for an indefinite period, or even for another year. It is true that Japan could probably obtain some additional loans in London and New York; but, in view of the fact that she has been already obliged to pledge specifically some

of her principal sources of income, she cannot desire to mortgage her revenues any further. On the whole, the Japanese probably would have preferred to defer negotiations for a short time, until Marshal Oyama could have inflicted another and more decisive defeat upon the Russian forces in Manchuria, but for their unwillingness to seem discourteous or ungrateful to the executive head of the American people, from whose approval and sympathy they have derived much moral support during the last eighteen months. So it came to pass that the Tokio Government, without illusions, but not without misgivings, made up its mind to accept President Roosevelt's invitation, and promptly despatched its plenipotentiaries to Washington, in order that an experiment, from which it expected little or nothing, might be made with all possible celerity. We say, "not without misgivings," because, although Mr. Roosevelt, in his capacity of impartial friend of both parties, could not ask for an armistice, which, in the nature of things, would inure to the advantage of Russia, it was foreseen that he would wish for one, and that Japan would feel constrained by comity to consider his wishes to at least the extent of imposing on Marshal Oyama a virtual and temporary suspension of hostilities. It is true that the rainy season would not have been conducive to extensive military operations in Manchuria, much less to a battle on a colossal scale; but there might have been much more manœuvring for position on the part of the Japanese than has actually been the case. In a word, the Tokio Government, in a generous and chivalrous spirit, has done its utmost to further Mr. Roosevelt's desire to appear as a *deus ex machinâ*, interposing between warring Powers to lead them into paths of peace.

It was not to be expected, however, that Japan would propose at Portsmouth terms materially less exacting, in vital particulars, than those which she deems essential to the permanence of peace. These terms would obviously include a recognition of Japan's preponderance in Korea; acquiescence in her retention of the conquered Port Arthur, and a renouncement by Russia of all that part of Manchuria which is not at present occupied by Linievitch's army, the latter requirement, of course, including a surrender of the Chinese Eastern Railway south of Harbin, which, although nominally the property of a private corporation, has really been built and operated by the Russian Govern-

ment. To these three demands, which were imperative, Russia's representatives at Portsmouth are understood to have offered no strenuous opposition. Whether Russia should agree to limit her naval force in the Pacific, or to dismantle Vladivostok, or to surrender her war-ships interned in neutral ports, are plainly questions the answers to which could not be vital for Japan, because under no conceivable circumstances would Russia be able to cope with the Island Empire in Far-Eastern waters for a great many years to come. Whether Japan should keep or give back Saghalin is also a question which it is difficult to regard as particularly serious. Neither party has shown in the past that it attached much value to the island. Russia has used it, since it came into her possession, exclusively as a penal settlement. Japan once owned the whole of it; then agreed to content herself with half of it; and, finally, in 1875, exchanged the southern moiety, under more or less pressure, for the Kurile archipelago. Under the circumstances, it is hard to see how Saghalin can have more than a sentimental value for the Japanese, provided some acceptable agreement with regard to fishing rights can be reached. There has been some talk in Tokio about the island's strategic importance, but the Russians, who occupied it at the outset of the present contest, seem not to have found it especially valuable from that point of view. We cannot bring ourselves to believe that the envoys of the Mikado and the Tsar would have come so many thousands of miles to meet at Portsmouth, and then break off their conference owing to their inability to agree about the island of Saghalin. At the hour when we write it seems far more probable that, if the negotiations come to naught, it will be because the Tokio Government insists on an indemnity, while Russia with equal firmness declines to pay one, or at least one acceptable in respect of size, to the Japanese. Whether, in view of all the circumstances, the demand for an indemnity is not justified is a question which may be discussed more conveniently next month, when we know definitely what reception it will have encountered.

It is evident from a telegram sent to Secretary Taft that the President has given up his previously announced intention of convoking the Fifty-ninth Congress in extra session in November. Nobody in Washington infers that he means to renounce his purpose to secure legislation enabling the Interstate Com-

merce Commission to exercise more thorough control of railways, by empowering it to make provisional rates in certain contingencies, pending an investigation of alleged grievances. Such an inference would be impossible, in view of the declaration made by Mr. Roosevelt at Chautauqua. The President there pointed out that much of the legislation hitherto aimed at the prevention of the evils connected with the enormous development of great corporations doing an interstate business had been ineffective, partly because it aimed at doing too much, and partly because it did not confer upon the Federal Government a really efficient method of holding any guilty corporation to account. The effort to prevent *all* restraint of competition, whether harmful or beneficial, he pronounced ill-judged; what is needed, he thought, is, not so much an attempt to avert future combination, as a vigilant and effective control of combinations already formed, so as to secure just and equitable dealing on their part toward the public generally, toward their smaller competitors and toward the wage-workers in their employ. Mr. Roosevelt was willing to concede that, under the existing statutes, much of substantial value had been accomplished during the last four years; but he added that the difficulties encountered had been so great as to prove in his opinion that further legislation is advisable. He recognized that many corporations have shown themselves honorably desirous of obeying the law, but he accused some corporations, and very wealthy ones at that, of exhausting every effort which can be suggested by the highest ability, or procured by the most lavish expenditure of money, to defeat the purposes of the laws on the statute-book. He firmly believed, he said, that this indictment was applicable to only a relatively small proportion of the very rich men engaged in handling the very largest corporations in the country; but he went on to express the conviction that the attitude of these comparatively few men does undoubtedly harm the country, and, above all, harm men of large means by the just, though sometimes misdirected, popular indignation to which it gives rise. Attention was directed to the fact that, hitherto, the Federal Government had very properly exercised moderation in attempting to enforce the criminal provisions of the statute levelled against monopoly and oppression; but he has arrived at the conclusion, he said, that, in some cases, such as that of the beef-packers recently indicted in Chicago, it is

impossible longer to show leniency. Experience has also taught him, he declared, that, if the existing law proves in practice inadequate, so that, under established rules of evidence, clear violations may not be readily proved, defiance of the law must lead inevitably to further legislation. Moreover, this legislation, he apprehended, might be more drastic than he would personally prefer, because of the stubborn determination evinced by some of the great combinations in striving to prevent the enforcement of the law as it stands, by every device, legal or illegal. He warned the representatives of certain powerful corporations that either they will have to submit to reasonable supervision and regulation by the national authorities, or else they will ultimately be subjected to governmental action of a far more unpleasant type. His final admonitory word was that we must not try to go too far with remedial legislation, lest too late we discover that we are going in the wrong direction. In any event, we ought to proceed by evolution, not by revolution. The laws must be conceived and executed, not in a spirit of resentment, but in a spirit of sanity and justice, and with exactly as much regard for the rights of the big man as for the rights of the little man—treating big man and little man exactly alike. One can easily understand why a speech in which the Chief Magistrate stood forth, not as a tribune of the proletariat, but as a champion of even-handed justice, was delivered, not at Wilkesbarre, where thousands of United Mine-Workers had assembled, but at Chautauqua, where all classes of the community were represented.

What Mr. Roosevelt said in the same speech about his interpretation of the Monroe Doctrine was cabled at length to foreign countries, for it was fraught with profound interest to all peoples and governments that now have, or would like to have, a stake in the New World. He began by allaying the suspicion evinced of late in some South-American commonwealths that the Monroe Doctrine might be construed by the present Administration in a way inimical to their interests. Let it be understood once for all, said the President, that no just and orderly government on this continent has anything to fear from us. He solemnly declared that under no circumstances would the United States use the Monroe Doctrine as a cloak for territorial aggression. He was at pains to reassure even Venezuela, by averring that, should any of our neighbors, from chronic turbulence or deliberate dis-

regard of our rights, get finally into such a position that the utmost limits of our forbearance are reached, even then—so the people south of us are told by Mr. Roosevelt—no action will ever be taken, save what is absolutely demanded by our self-respect. Never, moreover, will this action take the form of territorial aggrandizement on our part, and it will only be taken at all with the most extreme reluctance, and after every means of averting it has been exhausted.

The President proceeded to designate certain things that our Federal Government will not do. For example, if a Latin-American Republic commits a tort against a foreign nation, the Monroe Doctrine will not force us to interfere to prevent punishment of the injury, save to see that the punishment does not, directly or indirectly, assume the form of territorial occupation of the offending country. Neither, in the case of obligations arising out of contract, would our country be willing to go to war to prevent a foreign government from collecting a debt justly due from a sister Republic. What alternative course would be practicable? The alternative course recommended by Mr. Roosevelt is that our own Government should interpose between the creditor and debtor, and undertake to bring about some arrangement by which so much as is possible of the just obligations shall be paid. The President avowed that, personally, he should always prefer to see this country step in and effect such an arrangement, rather than let any foreign country carry it out by force of arms. He does not want, he says, to see any foreign Power take possession, permanently or temporarily, of the custom-houses of an American Republic, in order to enforce its obligations; but, for his own part, he recognizes that at any time the alternative may be that we shall be forced to do so ourselves. This, of course, is what is being done at this moment in Santo Domingo, and it remains to be seen whether the United States Senate will sanction it, and thus definitely adopt the Roosevelt Corollary to the Monroe Doctrine.

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SOME LEGAL ASPECTS OF RAILROAD RATE-MAKING BY CONGRESS.

BY RICHARD OLNEY.

THE real proposition now before the country cannot be mistaken, however indirectly stated or ingeniously disguised. It is that Congress create a Commission which shall prescribe the rates of charge of common carriers engaged in the transportation of persons and freight between States, or between a State and a foreign country. Congress gets whatever authority it has over the subject-matter under its power "to regulate commerce with foreign nations and among the several States," and it is settled that commerce includes transportation.

The pertinent legal inquiries, therefore, are, first, Does the commerce clause of the Constitution authorize Congress to prescribe the charges of carriers engaged in the business of transportation with foreign nations and among the several States; second, If it does, may Congress delegate the power to a Commission; and, third, If it does, is the power qualified, and how, by the constitutional prohibition upon any preference to the ports of one State over those of another?

These questions may be conveniently considered in the reverse order of their statement.

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I.

The port-preference clause of the Constitution is, of course, a limitation of the power of Congress to regulate the national commerce. That regulative power is not to be exercised so as to give an advantage or preference to a port or ports in one State over the port or ports of another State. The manifest purpose is that, so far as the ports of the several States are concerned, national commerce shall be free to flow in its natural channels, and shall not be diverted from one port to another by any interference on the part of the National Government.

The great trunk lines of the country, engaged in national transportation between the interior and the sea-board, now carry on the business largely on what is known as the differential system. That system puts the ports on a common footing—puts a naturally inferior port on the same plane as a port naturally superior, by permitting the carrier that serves the former to charge lower rates. This equalization of the commercial qualities of ports, diverse in natural advantages, is competent for the railroads, since the property they own is private property and is practically under private control. But the same equalization is not within the power of the political entity known as the United States, since its powers are strictly limited by the national Constitution. Even if the commerce clause enables it to prescribe the rates of national transportation, yet it must do so subject to the express limitation of that power against the preference of one port over another—a limitation which may be as surely overstepped by governmental rate discriminations as by any other method.

The published opinion of the Attorney-General on this point impliedly admits the possibility of a regulation of land transportation which would be in conflict with the port-preference clause of the Constitution. He contends, however, that differential rate-making by the National Government on the lines now practised by the principal railroads of the country is not obnoxious to that clause because its operation upon ports is purely incidental and indirect. It is believed that that contention will not bear examination.

(1) The equalization of the advantages of different ports, so far from being an incidental and indirect result of differential rates, is an immediate, direct and intended result.

(2) It would be none the less immediate, direct and intentional if it were one of several results contemplated; if, in addition to such equalization for the benefit of a port or ports, the purpose were to also promote the interests of both the interior producer and the carrier.

(3) The facts are, however—facts of such notoriety as to need no proof—that differentials between railroad lines running from the interior to the sea-board are, as a rule, made and justified primarily and principally in the interest of ports.

(4) The interest of the producer in the interior is that the products designed for export shall reach the best port by the shortest and cheapest route. An arrangement putting the naturally inferior port on a par with the best port and a naturally inferior route on a par with the best route is prejudicial to the producer.

(5) That differentials which favor a port may also favor the carrier concerned is, of course, unquestioned. But the point is—which is to be deemed their chief object and their true justification, the benefit to the carrier or the benefit to the port?

(6) From the point of view of the law and of public policy the answer to this question seems to be plain. Railroads are essentially private property with whose management by private persons Government interferes only in the public interest. Differentials are devices which mitigate the stress of competition between carriers. But competition is the general public policy of the country, and when that policy is permitted to be modified, the modification is not made on behalf of the carriers with whose business success or failure as private persons or corporations Government is no more concerned than with the business success or failure of private persons generally. The modification is made solely on behalf of the public—of the public generally or of a local community whose affairs have a public significance and importance.

(7) It follows that the differentials common between railroad lines serving ports of dissimilar commercial advantages must be deemed to have equalization of ports as the primary object and advantage to carriers as something altogether secondary. Benefit to the inferior port is the principal thing, advantage to the carrier to that port the incident.

(8) It follows further that a necessary consequence of Con-

gressional railroad rate-making must be the abandonment of the present system of port differentials, a system to which many ports and existing railroad lines are indebted for the business and prosperity they are now enjoying.

(9) In the matter of the "Differential Rates to and from North Atlantic Ports," recently heard by the Interstate Commerce Commissioners as arbitrators, the majority considered themselves at liberty to determine, "not whether these differentials are lawful merely, but whether on the whole, considering the interests of all parties, they are fair"—and made a report accordingly.

One of the Commissioners, Mr. Clements, dissented from the report on grounds which are indicated by the following extracts from his written opinion and which seem to show that in his judgment differentials in freight rates on export traffic moving through different ports between competing railroads leading thereto are illegal:

"There is a manifest and radical difference between a matter of discrimination like that by a carrier between places on its line, and which is clearly covered by the provisions of the third section of the Act to regulate commerce and the fixing of differentials in rates to or through the various ports and over independent and competing railroads. In the latter case the law has undertaken to leave the free play of competition to adjust rates, subject only to the requirements made of each carrier that its rates shall be reasonable and just and shall not unduly discriminate between commodities or between persons and localities reached or served by it and that duly established and published rates be observed. . . . While the situation justified the inquiry, the facts disclosed do not, in my judgment, justify the conclusions reached for the reason that I believe they do violence to the great principle of competition which the Congress and the Supreme Court have so jealously and consistently nourished as one of the fundamental rights of the public. In declaring as between competing lines and competing ports what differentials shall govern, assuming that they will govern, we hamper competition, and by this regulation of distribution effect in reality a division of territory, a division of traffic and a division of earnings, which in substance and effect tend to defeat not only the purposes of the Anti-Trust Act against the restraint of trade, but the pooling provision of the Interstate Commerce Act, with the enforcement of which the Commission is charged. . . . The unmolested freedom of competition by lawful methods, permitting the free course of traffic is more likely to give to each community and carrier the fair and just rewards of its enterprise and public spirit and just rates to the public than any devised plan of fixing differentials between competing

carriers to compose conflicting interests by apportionment of the traffic and which in the nature of the case must be more or less arbitrary. It is at least safe to keep within both the spirit and letter of the law."

II.

Even if Congress may itself dictate rates of national transportation, is it competent for Congress to delegate that power to a Commission?

The precise question may fairly be deemed an open one so far as the Supreme Court of the United States is concerned, and it is believed that, on the principles asserted by that Court in dealing with other subjects-matter, if Congress is authorized to prescribe such rates, it must do so itself by positive and explicit enactment.

First. There are *dicta* by judges in various cases decided by the Supreme Court, to the effect that Congress may regulate rates of national transportation either directly or by a Commission. In other cases, the point has been taken for granted. But an examination of the cases shows that whether authorizing a Commission to fix rates is or is not a delegation of legislative power which Congress is incompetent to make has never been the ground of decision in any case, and presents an issue which has never been thoroughly discussed either at the bar or by the Court.

Second. The nearest approach to such discussion by the Court is to be found in Chicago, etc., Ry. Co. *vs.* Minnesota (134 U. S., 418), in the dissenting opinion of Mr. Justice Bradley. While Mr. Justice Blatchford, speaking for a majority of the Court, may be thought to impliedly affirm the right of Congress to make rates through a Commission, and Mr. Justice Miller, in a concurring opinion, affirms such right, Judge Bradley argues in its favor. If the legislature had fixed the rates, he says:

"It would have done it through the aid of committees appointed to investigate the subject, to acquire information, to cite parties, to get all the facts before them, and finally to decide and report. . . . And if the legislature itself could do this, acting by its committees, and proceeding according to the usual forms adopted by such bodies, I can see no good reason why it might not delegate the duty to a Board of Commissioners."

But it is difficult, if not quite impossible, to follow the learned judge's reasoning. A legislative committee, by and of itself,

enacts nothing—it reports to the body of which it is a part, and its conclusions, if they are adopted and become laws, are such because they are the conclusions of the legislature. If Judge Bradley is to be regarded as having in mind a Commission which should report to the legislature and whose recommendations would have the force of law only if approved and adopted by the legislature, his reasoning is appropriate and weighty. As applied to a Commission determining rates of itself and without any reference to the legislature, it has no bearing on the real point at issue.

Third. If to prescribe rates for railroads engaged in national commerce is a legislative function, the power is one to be exercised by Congress directly and cannot be delegated to a Commission. On this point the indeterminate and confusing attitude of the United States Supreme Court is well illustrated by the opinion given in Interstate Commerce Commission *vs.* Railway Company (167 U. S., 479), the case in which it is expressly and finally adjudicated that the Interstate Commerce Commission is without power to fix rates. On page 494, the Court says:

"Congress might itself prescribe rates; or it might commit to some subordinate tribunal this duty; or it might leave with the companies the right to fix rates, etc."

But, on page 505, the Court says:

"The power to prescribe a tariff of rates for carriage by a common carrier is a *legislative* and not an *administrative* or judicial function, and, having respect to the large amount of property invested in railroads, the various companies engaged therein, the thousands of miles of road, and the millions of tons of freight carried, the varying and diverse conditions attaching to such carriage, is a power of supreme delicacy and importance."

Again, on page 511, the Court says:

"Our conclusion then is that Congress has not conferred upon the Commission the *legislative power* of prescribing rates either maximum or minimum or absolute."

Fourth. But, as already stated, if to prescribe rates is a legislative function, the function cannot be delegated. The principle has often been affirmed by the Supreme Court of the United States, and in Field *vs.* Clark (143 U. S., 649) there is a clear statement of the rule which determines whether or

not a delegation of legislative power has been attempted. There the President was authorized to suspend the free introduction into this country of certain products of other countries when satisfied that the producing foreign country was imposing duties upon United States products in his judgment reciprocally unequal or unreasonable. Two of the Justices held this legislation unconstitutional as transferring legislative power to the President. The majority ruled to the contrary, but were enabled to do so by construing the statute as authorizing the President not to make but to execute the law. He was deemed the mere agent of the law-making department, to ascertain and declare the event upon which its expressed will was to take effect. Adopting the language of the Supreme Court of Ohio, the Court said:

> "The true distinction is between the delegation of power to make the law, which necessarily involves a discretion as to what it shall be, and conferring authority or discretion as to its execution, to be exercised under and in pursuance of the law. The first cannot be done; to the latter no valid objection can be made."

Fifth. If the rule thus above stated be applied to the question whether or not authorizing a Commission to prescribe railroad rates is a delegation of legislative power, the only conclusion possible accords with Judge Brewer's declaration, viz., that making rates is not an administrative nor a judicial but is a legislative function.

(1) There is no resemblance between such rate-making and the ascertainment of a contingency which is to make a law effective. Such ascertainment may call for investigation and the exercise of judgment. But the law which is to be operative in consequence of such ascertainment is a law made by the legislature and not by the executive board or official whose action makes the law effective.

(2) On the other hand, to make such rates is to lay down the rule by which conduct is to be governed, is to declare what that rule shall be, and does not merely fix the time or ascertain the circumstances in which such rule shall apply and govern. Discretion as to what the rule of conduct shall be is one thing—discretion as to the time and conditions of the operation of the rule is another thing—the discretion in the former case must

be exercised by the legislature, in the latter it may be delegated to an executive or administrative officer or tribunal.

Sixth. It was intimated by Chief-Justice Marshall that the importance of the matter dealt with will determine the question whether or not there is an attempted delegation of legislative power:

> "The line has not been exactly drawn which separates those important subjects which must be entirely regulated by the legislature itself from those of less interest in which a general provision may be made and a general power given to those who are to act under such general provisions to fill up the details." (Wayman *vs.* Southard, 10 Wheat., 1.)

But, if the criterion thus suggested be the true one, the conclusion that the power to make railroad rates for the country at large cannot be given to a Commission follows inevitably.

The power, to quote Mr. Justice Brewer, is of "supreme delicacy and importance," and the vast consequences to the material growth and prosperity of the country of the wise or unwise exercise of the power it would be difficult to exaggerate.

It is suggested that railroad rate-making requires expert and scientific ability of a high order and cannot be intelligently done by a legislative body. But the proposition, while sufficiently correct, tends to show nothing more than that Congress, or any other legislature, should not act on the subject without calling to its aid the necessary scientific and expert ability. It may do so through a committee of its own body or through an independent Commission which reports to it in the same manner as a committee.

To fix railroad rates of national transportation is hardly a more complex and difficult task than to fix the duties on imports under our system of high protection. But it has never been claimed that the latter task was an impossible one. Much less has it been claimed in Congress or elsewhere that by reason of its difficulty or for any other reason it was competent for Congress to empower a Commission to make a tariff.

Seventh. It is claimed that Congress may give to a Commission its railroad rate-making power either by way of exception to the rule against the delegation of legislative power or because the power is in its nature not legislative but administrative. The claim, it is believed, must rest only on the ground last named—

there being the strongest possible presumption on grounds of principle and public policy against any exception to the rule that the legislature alone can legislate.

Illustrative of administrative functions which the legislature may delegate are the powers given to Boards, corporations or other agencies, to determine whether and when and between what termini public necessity and convenience require highways and railroads to be established; to lay them out accordingly; and to expropriate the land or other property needed therefor. In those cases, the Boards and other agencies employed make no laws and exercise no discretion as to what the laws shall be. They fit the laws to the facts of a particular case—they determine the existence of the physical and commercial conditions to which the existing laws are applicable and which require such laws to become operative—and the discretion exercised is in its nature not legislative but administrative. Hence, when such discretion affects private rights and calls for the exercise of judicial functions, the action of the agencies in question is merely preliminary and *prima facie,* and is always reviewable by the courts.

The contention is that, on the same grounds as justify the legislature in employing such agencies, the power of making rates for the railroads engaged in national transportation is to be deemed administrative and so may be delegated by Congress to a Commission. But the difference is plain and is vital.

(1) When such a Commission establishes rates which the carrier must comply with, a new law, a new rule of conduct, comes into being. It is not the case of an old law being made effective and becoming operative upon facts and conditions to which it was always meant to apply when the necessary facts and conditions had been officially ascertained. The Commission's edict as to rates has all the earmarks, all the characteristics, of legislation.

(2) The answer to the foregoing proposition, as contained in the Attorney-General's opinion, is that the Commission's rate-making is not legislation but the execution of legislation; that Congress has expressly prescribed the rates of carriers engaged in national transportation by declaring that such rates shall be just, reasonable, and non-discriminatory; and that in preparing and promulgating schedules of the actual rates to be

charged by the carriers, the Commission's functions are administrative and not legislative.

(3) But a legislative declaration or enactment that rates shall be just and reasonable and non-discriminatory expresses the character they are meant to have when fixed. It does not actually prescribe the rates themselves. No more does it prescribe them potentially because it furnishes no standard of justice, reasonableness, etc. That standard, in the event of a supplemental law authorizing a Commission to fix rates, is of course to be supplied by the Commission itself. But it is difficult to conceive of anything more clearly legislative in every characteristic than the fixing of such a standard. That its application when fixed may be left to a Commission may be conceded. But that the determination of the standard itself is for the legislature and the legislature alone, and that to assign the function to a Commission is but an invalid attempt to delegate legislative power, would seem to be clear.

(4) It is insisted that when Congress declares that carriers' rates on national transportation shall be just, reasonable and non-discriminatory, it furnishes all the rate standard that is required, has exercised all the legislative discretion that is necessary, and may commit to an executive officer or Board the power to determine the actual rates which such standard calls for. The better view would seem to be, however, that such a Congressional declaration is too general, indefinite and vague to be regarded as a rate standard; that it describes the nature of the desired results to shippers rather than the character of the rates themselves; and that, to empower a Commission to make rates with no other guide than such a declaration is a complete transfer to the Commission of the legislative discretion which Congress alone is competent to exercise.

(a) In Field *vs.* Clark, *supra,* the President's official declaration of the existence of certain facts was to have the effect of making vital and operative certain legislation already enacted by Congress. If, however, upon the making of the same declaration by the President, Congress had undertaken to authorize him to impose upon the products of certain foreign countries such duties as he should deem reasonable, the principle affirmed in that case would have compelled the Court to pronounce the legislation void as an attempted delegation of legislative power.

(b) But Congress can no more grant legislative power to a Commission than to the President—can no more delegate to any person or tribunal the power to determine reasonable rates of transportation than the power to determine reasonable duties on imports—and in each case, while it may authorize a Commission to work out details, must itself determine the standard of reasonableness.

(c) Buttfield *vs.* Stranahan (192 U. S., 470) well illustrates the class of cases in which the legislature may leave administrative details to an executive officer or Board, without delegating any portion of legislative power. The object of the statute involved in that case was—as the Court expressly declares—to exclude from the country the lowest grades of teas, "whether demonstrably of inferior purity or unfit for consumption or presumably so because of their inferior quality." "This," says the Court, "in effect was the fixing of a primary standard and devolved upon the Secretary of the Treasury the mere executive duty to effectuate the legislative policy declared in the statute." The law, that is, was complete, with the exception of failing to specify what were the lowest grades of teas—a matter of fact and of detail it instructed the executive department of the Government to ascertain in the manner the law itself points out. In this case, manifestly, the legislative discretion had been fully exercised; the legislature declared as the rule of conduct that the lowest grades of teas should not be imported; and it delegated discretion not as to the rule itself but only as to what grades of teas were lowest—a fact to be ascertained by the executive department in the prescribed method.

(d) But between a grant of authority to a Commission to ascertain the lowest grades of teas and a grant of authority to a Commission to make railroad rates for national transportation there is no resemblance whatever in point of law or point of fact. Whoever prescribes a carrier's rates, for example, lays down the most important of all the rules by which the carrier's business is governed. In the rate-making power, indeed, is the very essence of the carrier's interest in his business and property. As the power is well or badly used, the carrier will be solvent or insolvent, and his business will be efficiently and prosperously conducted, or will cease to be of value to him or for any purpose.

The importance of the rate-making power is not to be con-

sidered, however, simply in its relation to the carrier. The most important bearing of the power is upon the public interests the carrier serves. It is matter of common knowledge—of which the Courts take cognizance without proof—that the great carriers of the present day are the railroads. It is equally matter of common knowledge that the rates charged by the railroads affect all classes of the community; that they determine very largely the outcome of all private enterprises; and that upon them hinges only too often the material well-being if not the very existence of towns and cities and sea-ports and large sections of country. Surely a power the exercise of which is fraught with such consequences is not to be classed legally or practically with the power of determining the "cup quality" of teas. The latter may well be delegated to an executive officer or Board. But to delegate the former, the ultimate rate-making power for railroads, to such an officer or Board would be a surrender by the legislature of one of its most important functions.

(e) In connection with the argument that Congress has made a sufficient standard of railroad rates by declaring that they shall be just, reasonable, and non-discriminatory, it is pertinent to ask how the situation would differ if Congress, without having laid down any general maxims on the subject of rates, had simply given to a Commission the rate-making power. Would a Commission in those circumstances be at liberty to make rates that were unjust, unreasonable, and discriminatory?

(f) A statute of Wisconsin authorized its State Board of Health to make such rules and regulations and to take such measures as might in its judgment be necessary for the protection of the people from Asiatic cholera or other dangerous and contagious diseases. The Board having required a certificate of vaccination as a condition of attendance upon the public schools, the law was held void as a delegation of legislative power. The Court affirmed the right of the legislature to authorize State or local Boards of Health to make reasonable regulations to carry into effect "appropriate general provisions of law in relation to the prevention and suppression of dangerous and contagious diseases. . . . *But there must be some substantive provision of law to be administered and carried into effect.*" (State *vs.* Burdge, 95 Wis., 390.)

(g) The insuperable objection which the Court found to the

Wisconsin law in the case just cited applies with equal force to the Congressional legislation under consideration. A law that carriers' rates shall be just, reasonable and non-discriminatory, regarded as a rule of future conduct, is much like a law that individuals shall be good, virtuous and law-abiding. In each case there is wanting the specific standard by which conduct is to be governed; or, to use the language of the Wisconsin Court, "some substantive provision of law to be administered and carried into effect."*

(h) That Congress—if it has the power to dictate the charges of national carriers—may empower a Commission to do the administrative and detail work involved in fixing the actual rates need not be disputed. But the specific rules in accordance with which that work must be done are to be prescribed by Congress itself, and call for the exercise of a discretion which is legislative and not administrative or executive. An interesting discussion of the precise question in Chicago & N. W. Ry. Co. *vs.* Dey (35 Fed. Rep., 866) tends to illustrate the difference between legislation which, as furnishing a rate standard, is not a delegation of legislative power, and legislation which, as not furnishing such standard but merely declaring the nature of the general results aimed at, constitutes such a delegation:

"While . . . it must be conceded that the power to fix rates is legislative, yet the line of demarcation between legislative and administrative functions is not always easily discerned. The one runs into the other. . . . Here it [the legislature] has declared that rates shall be reasonable and just, and committed what is, partially at least, the mere administration of that law to the Railroad Commissioners. Suppose, instead of a general declaration that rates should be reasonable and just, it had ordered that the rates should be so fixed as to secure to the carrier above the cost of carriage three per cent. upon the money invested in the means of transportation and then committed to the Board of Railroad Commissioners the fixing of a schedule to carry this rate into effect, would not the functions thus vested in such Board be strictly administrative?" (*Per* Brewer, J., p. 874.)

(i) It is clear—is not denied—that there may be regulations of land transportation which will be obnoxious to the port-preference clause of the Constitution. Is the discretion as to those regulations something of which Congress can divest itself

* See Louisv. & Nash. R. Co. *vs.* Commonwealth (99 Ky., 132). Louisv. & Nash. R. Co. *vs.* R. R. Commission (19 Fed. Rep., 679).

in favor of a Commission? It would seem to be hardly debatable that the momentous question whether the port-differential system now in vogue between railroads running to the sea-board shall continue or shall be abandoned and a strictly mileage basis substituted must be decided by Congress direct and not by any subordinate or administrative tribunal.

(j) Yet the question arising out of the port-preference clause of the Constitution is but an illustration of many other grave questions affecting railroad charges which are constantly arising in the course of the management of the great railways of the country.

Eighth. That Congress, if it seriously undertakes the business of railroad rate-making for national transportation must ascertain and establish as many standards of reasonableness as there are carriers engaged in the business—and that the work of establishing them involves many important, difficult and intricate problems—does not affect the principle, though it does show that Congress cannot move in the matter with too great care, and should not move at all until assisted by the report of a competent and expert Commission.

The English Parliament, in 1888, took up the subject of railway freight rates by an act one of whose principal objects was the establishment of such rates on a just, reasonable and non-discriminating basis. There followed a most prolonged and elaborate investigation by a Commission, which gave hearings lasting for months to all parties interested and their counsel, and which finally reported classified schedules to the Board of Trade. These were carefully considered and passed upon by the Board, were by it reported to Parliament, and in 1891, three years after the initiation of the inquiry, were by that body enacted as laws of the land.

It is believed that rate-making for American railroads—with their mileage of about 200,000 as against an English mileage of 23,000, and serving a territory of 3,600,000 square miles and a population of 80,000,000 as against the 120,000 square miles and the 42,000,000 population of the United Kingdom—is to be undertaken with at least as much intelligence, deliberation and patient consideration as characterized the like proceeding in England, and here as there must rest for its final adoption and sanction upon the authority of the national legislature

itself, and not upon that of any subordinate or administrative tribunal.

III.

Can such a power in Congress as the right to dictate rates to the carriers of the country—a power never yet exercised either directly or indirectly through a Commission—be justly regarded as conferred by the Constitution? If it exist, it is limited to national business—the like power in respect of intra-State or local business, if it exist, being vested in each State. But a power which it is right and expedient for Congress to exercise over national business, it is presumably right and expedient for each State to exercise over local business, and when and where Congress leads State legislatures are prone to follow. It is to be expected, therefore, that railroad rate-making by the National Government within its sphere will be supplemented by railroad rate-making by the several States within their several spheres.

The situation to be anticipated, then, is that railroads, private properties and representing private investments aggregating billions of dollars, will find themselves controlled in the vital matter of their charges, not by their private owners, but by two public Boards—one representative of local interests and the other of national interests, and both antagonistic to the interests of the private owners concerned. The two Boards will aim at the lowest possible rates, each in behalf of the particular business under its charge, and will therefore be in constant rivalry with each other in the endeavor to extort from the carrier the best service at the smallest cost. Under these conditions anything like skilful, just, reasonable or stable rate-making becomes impossible. A situation is created intolerable alike to the carriers and to the public, and the sure outcome—unless the whole scheme of Government rate-making be abandoned—is Government ownership.

Government ownership of all railroads is obviously the goal toward which some of the Government rate-makers are striving, while others, if not welcoming it and not working for it, profess not to fear it, and claim that it would at all events be an improvement upon the present status. Both point to existing instances of Government ownership of railroads—the one claiming that the results to the public are distinctly favorable, the other that they are at least not as detrimental as is sometimes

declared. But when Government ownership of the railroads of the country is seriously considered, our dual political system is at once seen to present problems of the gravest character. The few and comparatively unimportant railroads that are wholly intra-State may be properly ignored. Every railroad of consequence is engaged in both kinds of transportation—in transportation that begins and ends in a single State, and in transportation that passes beyond State lines. Hence, if Government ownership of railroads be regarded as the inevitable sequence of Government rate-making—the first question is, Which Government is it that is to own the railroads, the State or the United States? Manifestly, it must be one or the other, since any joint ownership is both legally and practically impossible.

The claim and answer will no doubt be that the owner must be the United States; that, though the State is as a rule sovereign within State lines, yet the Constitution and laws of the United States are paramount; that under the commerce clause of the Constitution the United States has the power to acquire and operate railroads engaged in national transportation; and that the full and beneficial exercise of this power will not be prevented, because, in order to own and operate such railroads for national business, it is necessary for the United States to also operate them for intra-State business.

Thus, Government ownership being an inevitable sequence of Government rate-making, and Government ownership and operation of State railroads being an inevitable sequence of national ownership and operation of national railroads, the question at once presents itself whether the national Constitution authorizes such an extension of its functions by the National Government.

The significance and importance of the inquiry are apparent if we remember that the railroad is only one species of highway, and that what is true of railroads must be true of ordinary highways. The jurisdiction of the National Government must be the same in both cases. If it is competent for the National Government under the commerce clause to own and operate all the great railroads of the country, it must be also competent for it to own or control and operate all the great highways of the country.

Is it by any possibility true that the National Government has been granted any such powers—that as respects every road or

street in the country which is a link in interstate communication the National Government may at its option take complete possession and control, may direct the mode of its construction, its grades, the sort of vehicles by which it may be used—may, in short, assume its entire management and operation in all the most minute details? Nothing could be more revolutionary in practice—nothing more contradictory of the views customarily held. It is necessary to consider most carefully, therefore, whether the powers in question are actually conferred on the National Government—it being conceded, as it must be, that the power can be deduced, if at all, only from the commerce clause of the Constitution.

(1) It is settled that the United States has no powers except those which are expressly granted to it and which include such minor and subordinate powers as are reasonably essential to the full and beneficial exercise and enjoyment of the grant.

(2) The power to regulate national commerce is defined by Chief-Justice Marshall as the power "to prescribe the rule by which commerce is to be governed" (9 Wheat., pp. 189, 194) on the part of all persons subject to the authority of the National Government. It authorizes the United States to formulate such a rule for others, it does not authorize the United States to carry on such commerce itself. If the United States, for example, were to assume to engage in the business of importing teas, or in the business of raising and exporting grain, or in any other branch of commerce between the States or with foreign countries, its right so to do would at once be challenged and probably with entire success. The United States is a government, not a private business corporation, and is endowed with certain political powers to be used for certain political ends. From trade and commerce proper, it is excluded by the very law of its being.

(3) But transportation is one branch of commerce, as the buying and selling of products is another. Both may be regulated by the National Government. but neither carried on by it.

(4) It is true that opinions by Justices of the Supreme Court of the United States have in some instances contained expressions to the effect that, by virtue of the power to regulate commerce, interstate highways may be constructed and maintained by the National Government. See, for example, California *vs.* Pacific R. Co. (127 U. S., 1, p. 39). Such expressions must,

however, it is believed, be regarded as *obiter dicta,* and certainly do not sustain the proposition that it is competent for the National Government, under its power to regulate commerce, to undertake and carry on the business of interstate transportation. Such *dicta,* indeed, are quite irreconcilable with the language of the Court in the comparatively recent case of Louisv. & Nashv. R. Co., *vs.* Kentucky (161 U. S., 677), in which it was contended that the right of a state to inhibit the consolidation of competing railroads was an interference with the power of Congress over interstate commerce. The Court said:

"In the division of authority with respect to interstate railways, Congress reserves to itself the superior right to control their commerce and forbid interference therewith; while to the States remains the power to create and to regulate the instruments of such commerce, so far as necessary to the conservation of the public interests."

This distinction between the power of the National Government to regulate the movements of interstate commerce and its power to own and operate the instrumentalities of interstate commerce is, it is believed, sound in principle and is not in conflict with any adjudication of the national tribunal of last resort.

(5) It was once suggested by a Massachusetts Railroad Commission that the Commonwealth might acquire and operate one of its principal railroads for the purpose of thereby regulating the operation of other railroads in respect of their charges and of their other public duties.

(6) But Massachusetts—and the same is probably true of every other State of the nation — is unfettered by the organic limitations which restrict the functions of the United States. Further, even if the commerce clause might be so stretched as to justify the acquisition and operation of one or several railroads for purely regulative purposes, the United States would still be without constitutional authority to own and operate all the railroads of the country.

(7) But if, for the reasons above given, the United States is constitutionally incapable of carrying on the railroad business and of acquiring for that purpose the railroads of the country, it would seem to follow that it is also constitutionally incapable of prescribing their charges for services.

(a) It is an entirely well-settled doctrine of our national constitutional law that a constitutional limitation cannot be broken

down or circumvented by the form in which a thing is done or attempted—that the judiciary will look through the form to the substance, and will invalidate any legislative or executive measure which in its substance is a breach of the constitutional prohibition. Thus, in the Income Tax cases, it was held that a tax upon the rents of real estate was a tax upon the real estate itself; that a tax upon the income of personalty was a tax upon the personalty itself; and that a tax upon income generally was a tax upon all the property of whatever nature from which the income was derived.*

Other illustrations of the principle are given by the Court in the majority opinion in the Income Tax cases. Thus, to tax an importer's occupation is to tax the imports, and to tax the sale of an imported article is to tax the article itself;† to tax the income of United States securities is to tax the securities themselves;‡ to tax the income of an office is to tax the office;§ to tax a bill of lading is to tax the merchandise represented;‖ to tax interest on a bond is to tax the bond, not the obligor;¶ to tax an auctioneer's gross sales is to tax the articles sold;** to tax income from interstate commerce is to tax the commerce itself.††

(b) By parity of reasoning—because "The substance and not the shadow determines the validity of the exercise of (the) power" (155 U. S., p. 698); because "What, in fact, is property, but a fiction, without the beneficial use of it?" (158 U. S., p. 626)—a political organism which is not legally competent to own and carry on the business of national transportation is likewise legally incompetent to prescribe the charges for such transportation to the private parties who do own and carry it on.

The rate-making power—the power to determine the charges for transportation—is the very essence of the ownership of the transportation business. Upon the exercise of this power depend the profits to get which the business is undertaken, and except for which it would not be undertaken at all. In this respect the transportation business is like any other, and the severance of the ownership of a business from the power to determine the

* See 157 U. S., p. 581; 158 U. S., p. 618. † Brown *vs.* Maryland, 12 Wheat., 419, 444. ‡ Weston *vs.* Charleston, 2 Pet., 449. § Dobbins *vs.* Commissioners, 16 Pet., 435. ‖ Almy *vs.* California, 24 How., 169. ¶ Railroad Co. *vs.* Jackson, 7 Wall., 262. ** Cook *vs.* Pennsylvania, 97 U. S., 566. †† 122 U. S., 326; 127 U. S., 640.

returns from it, being impracticable in point of fact, is to be deemed also impossible in point of law.

If it be urged that, as Congress is subject to the Constitution of the United States, any national rate-making for carriers cannot be confiscatory, the answer is plain. Rate-making for railroads is a from-day-to-day affair. Their rates must vary with the varying conditions of business, which conditions are subject to rapid and wide fluctuations and may make rates which are reasonable to-day wholly unreasonable to-morrow. It is entirely conceivable that rates reported by a committee to one or both Houses of Congress and reasonable when so reported may become unreasonable by the time that they are acted upon by one or both Houses, or, if then reasonable, may be found unreasonable when a bill prescribing such rates is presented to the President for his signature.

Further, whether Government rates as prescribed are or are not confiscatory and consequently illegal is a judicial question to be determined only by the judiciary. But rates reasonable when prescribed by the legislature may be found unreasonable when examined by the courts, or, if unreasonable when enacted, may be entirely reasonable by the time the courts are called upon to investigate them. Yet in either or any event the courts are limited to action upon rates already established or attempted to be, and are without power to decree what shall be the rates for the future.

Further, as only the courts after hearing the parties can determine whether legislative rates are reasonable or unreasonable, if such rates are made effective upon enactment and the carrier adopts them and they are afterwards adjudged unreasonable, the result is that property of the carrier is in effect taken from the carrier to bestow upon the shipper; if such legislative rates made effective upon enactment are not adopted by the carrier and are afterwards adjudged reasonable, the result is that property of the shipper is in effect taken from him to bestow upon the carrier. The same confiscatory result follows in each case, because in the one the carrier, and in the other the shipper, is without any legal redress for the wrong suffered.

These considerations would seem to show the practical impossibility of separating the ownership of the transportation business from the power to fix the carrier's charges—of private persons

being the proprietors of the business while government assumes and exercises the right to dictate their charges and their returns from the business.

And, as in deciding the question of the violation of a constitutional limitation the substance of things and not the shadow is taken into account, the organic inability of the National Government to own and run the national railroads of the country includes the inability to prescribe their charges the right to fix which is an inseparable constituent of ownership.

Ours is a government in both State and nation by political parties, and to political rate-making for railroads—rate-making by politicians animated by partisan motives and working for partisan ends—the objections of an economic and business character and on the score of public policy generally are as obvious as they should prove insuperable. The purpose of the present paper is to point out that, beside such objections, railroad rate-making by the National Government presents legal and constitutional difficulties of the most serious character. It raises issues which concern the division of power between the several States and the United States; which have not been fully and finally passed upon by the national Supreme Court; and which, if submitted to that tribunal half or even a quarter of a century ago, would in all human probability have been determined adversely to the jurisdiction of the General Government.

RICHARD OLNEY.

LYNCH LAW: ITS CAUSES AND REMEDY.

BY HIS EMINENCE, CARDINAL GIBBONS.

"WHOSOEVER sheddeth man's blood, his blood shall be shed." It is a law of all Christian and civilized nations, based on the Mosaic ordinance, that all deliberate murderers and other atrocious criminals shall expiate their transgressions by the death penalty. The blood of the innocent victim, like the voice of the blood of Abel, calleth to heaven for vengeance. (Gen. iv.)

But private individuals, how exalted soever may be their station and influence in the community, or how grievous soever the offence, cannot constitute themselves the agents for punishing the guilty. A claim of this kind would destroy or imperil security of life, and lead to indiscriminate bloodshed.

The prerogative of exacting life for life, and blood for blood, is vested exclusively in the public authorities, who are charged with maintaining the peace and good order of the commonwealth. The power of the civil functionaries and the source of their authority are thus stated by the Apostle of the Gentiles: "The civil magistrate beareth not the sword in vain. For he is God's minister, an avenger to execute wrath upon him that doth evil." He acts in the capacity of the representative and delegate of God, Who has the power of life and death over all His creatures.

But even civil rulers are forbidden to make an arbitrary use of their prerogatives, at least in times of peace. Their powers are strictly defined. They can pronounce sentence of death only after a judicial verdict has been rendered. The Constitution of the United States expressly provides that no man may be condemned to death till declared guilty after a judicial trial.

The Fifth Amendment to the Constitution declares that "no person shall be deprived of life, liberty or property, without due process of law." This beneficent clause is most comprehensive

in its scope, for it guarantees a fair trial to every culprit, no matter how atrocious his crime, or humble his situation in life.

All executions by Lynch Law are therefore a direct and flagrant violation of the Constitution. Every lover of his country's fair name must feel a sense of shame and sorrow when he is forced to admit that the murder of criminals by popular violence is of frequent and almost weekly occurrence in the United States. Nor are these acts of vengeance confined to one particular section of the land.

According to a report by a responsible writer, whose statements have not been questioned, there have been two thousand eight hundred and seventy-five lynchings from 1885 to 1903, inclusive; and there are but five States in the Union in which these illegal acts did not occur. The States exempted from the crime of lynching are Massachusetts, New Hampshire, Vermont, Rhode Island and Utah.

Lynching is a blot on our American civilization. It lowers our civic and moral standard in the estimation of foreign nations; it is a standing insult and menace to the majesty of the law of the land; it usurps the sword of authority from the constituted powers, and places it in the hands of a reckless and irresponsible mob.

It arouses a bloodthirsty spirit in man; it inflames the savage element in our nature. You might as well attempt to chain the lightning, and hush the thunderbolt of heaven, as to repress a crowd, once their fury is excited to wreak vengeance on an alleged malefactor.

I admit that there are exceptional times and circumstances, when summary executions may be tolerated and condoned; when, for instance, a territory is suddenly occupied by a mixed and heterogeneous population, and is in a formative state; when the civil law and the usual machinery and appliances of a stable government are not yet established. On occasions like this, the recognized leaders of the people may punish notorious criminals in the interests of social order.

Upwards of fifty years ago such a state of things existed in California, when gold was first discovered in that region, and when adventurers flocked thither from various parts of the globe.

A Vigilance Committee was organized to punish outlaws without due forms of law. But it is manifest that this method of

chastising offenders cannot be tolerated in a State where the courts of justice are in free operation.

Lynchings, and all arbitrary deeds of murder by irresponsible persons without legal proceedings, have been the fruitful source of feuds and sanguinary conflicts in some sections of our country. We are all familiar with the bloody struggles carried on for a generation between two families on the borders of Kentucky and West Virginia. The partisans of one clan began by murdering a member of the other to avenge some grievance. The aggrieved family retaliated by killing one or more of the other tribe; and they in turn made reprisals by the massacre of some of their adversaries. And so the contest has been kept up almost to the present day, until both clans have been well-nigh exterminated.

How much bloodshed and violence would have been spared if the contending parties had recourse to the established tribunals, or had observed the law of forgiveness of injuries inculcated by the Founder of the Christian religion!

What aggravates the crime of Lynch Law is the circumstance that not unfrequently it sentences to death an innocent person, while the guilty party escapes. Cases of mistaken identity and ungrounded suspicion are liable to occur when we consider the excited frame of mind of the unhappy victim of violence and lust, and the eagerness of an outraged community to avenge an atrocious and brutal crime. In May, 1902, the wife of a station-master was found murdered in a small town in South Carolina. Three negroes were suspected of the crime. They were hanged to trees and their bodies were riddled with bullets. Some time afterward, the husband of the murdered woman, overcome by remorse, confessed on his death-bed in the presence of his physician and several witnesses that he was the murderer, and that the accused negroes were absolutely innocent of the deed.

If it is a grave miscarriage of justice to allow the guilty to go unpunished, it is far more criminal to deprive of life an unoffending man. The legalized murder of a guiltless individual is an act of violence to Justice herself. Better that ten guilty men should escape than that one man should unjustly suffer.

Unfortunately, also, the lynching of one individual is sometimes attended by the accidental and promiscuous slaying or wounding of bystanders in the conflict which arises between the mob and the officers of the law.

If Lynch Law were substituted for the Law of the Land, no citizen would be secure from violence or death. The leading men of the community, if not restrained by conscience, would wield an influence like that which was swayed by the Barons of the Middle Ages, who could assassinate with impunity every harmless commoner that stood in the way of their lawless ambition or lascivious passions. They could easily trump up charges against the object of their hatred or malice, and suborn a hired band of retainers to avenge a fancied crime.

Another deplorable result of lynching is that public sympathy is sometimes withdrawn from the innocent victim of lust and murder, and is transferred for the time being to the brute who outraged and killed her. Her defenceless condition, her agonies and cries for help, her vain entreaties, her dishonor worse than death, culminating often in torture and murder in order to cover the crime,—all this horrible picture fades from view and is almost forgotten, while the iniquity of the human fiend is condoned or palliated on account of the lawless manner in which his crime was expiated. He often becomes the hero of the hour, and is regarded by some even as a martyr. And, while the malefactor's crime is almost lost sight of, and he becomes the object of morbid pity, popular denunciation falls on the heads of those who participated in his summary execution.

Had the wretch expiated his offence by the ordinary process of the civil courts, his trial, conviction and execution, attended with all the solemnity of judicial proceedings, would have appeased the righteous indignation of the community, would have vindicated the majesty of the law, and would have served as a terror and salutary warning to evil-doers.

If, indeed, the illegal and violent infliction of the death penalty on criminals had a deterrent effect on other evil-disposed persons, and acted as a warning to them, that circumstance, while not justifying Lynch Law, might at least offer some excuse or palliation for its exercise. But experience shows that it rather increases instead of diminishing the calendar of crime. Far from terrorizing the colored race who are the usual sufferers from hasty executions, it inflames them with indignation, and incites them to perpetrate deeds of violence on the weaker sex as much from a spirit of revenge, and from a triumph in the humiliation of their victims, as from a desire to gratify their animal passions.

Let us now examine into the principal grounds of excuse for the exercise of Lynch Law, and suggest a remedy for this social evil.

One of the causes of hasty and violent executions without the forms of law is the needless and often irritating delay in bringing a notorious criminal to the bar of justice, and the infliction of punishment inadequate to the enormity of the offence.

An infamous negro, named George White, violated and then butchered almost beyond recognition a young lady in Delaware. A prompt trial of the self-accused malefactor was reasonably expected to appease the public, exasperated as they were by the horrible outrage. But they were grievously disappointed by the announcement that the culprit would not be tried for three months, and the result was a summary execution attended with the most revolting circumstances.

It appears that this same White had been twice before convicted for rape in Pennsylvania. If he had received a due measure of penalty for his former transgressions, he would not have been let loose to prey like a wolf on other folds; and, if he had been accorded a speedy trial in Delaware, the community would have been spared the awful scenes which occurred when he was burned at the stake.

The difficulty of procuring a sentence of conviction against the accused after he is tried, and the frequency with which noted criminals are known to escape the meshes of the law, especially in jury trials, have created in the public mind a distrust of our criminal jurisprudence, and offer an incentive and temptation to have recourse to the wild justice of revenge. In 1900, the Mafia, a lawless secret society of Sicilian origin, spread terror among the inhabitants of New Orleans by their frequent deeds of bloodshed. The members of the society considered it dishonorable to seek redress by appealing to the established courts of justice, but always avenged a wrong by secret murder. They assassinated the chief of police at his own door. Nine members of this infamous band were arrested and tried for the murder of the brave and popular guardian of the law. They were all acquitted.

Some of the leading citizens, incensed at the miscarriage of justice, shot down these nine members of the Mafia; and, how much soever we may reprobate the drastic remedies applied by the citizens, it is gratifying to say that, since these violent meas-

ures were adopted, the hydra-headed monster has never again lifted its head in the Crescent City.

Yet another crying evil and incentive to lynching is the wide interval that so often interposes between a criminal's conviction and the execution of the sentence, and the defeat of justice by needless procrastination. Human life is indeed precious and sacred, but the effort to guard it has gone beyond reasonable bounds. It is blessed to be merciful, but mercy should not be exercised at the expense of justice and social order. Misplaced clemency often works infinite harm to the community.

Of late years, the difficulty of carrying out the judgment of the court (in murder trials especially) has greatly increased from the widened application of pleas in bar,—notably that of insanity. When a conviction has been reached, innumerable obstacles generally stay the execution. The many grounds of exception allowed to counsel, the appeals from one court to another of higher jurisdiction, involving an enormous expense to the commonwealth, the long periods of time intervening between the terms of the lower and higher courts, the impossibility of recalling the original witnesses by reason of their death or removal to distant parts of the country, the apathy or fading interest of the friends of the prosecution, the untiring efforts of the advocates and friends of the accused, the facility with which signatures for pardon are obtained, with the final application for mercy to the Governor,—all these circumstances have combined to throw around the transgressor an extravagant protective system, and have gone far to rob jury trials of their substance and efficacy.

When the crime of the accused has been manifestly proved, and no extenuating circumstances can be advanced, the lawyers for the defence have often recourse to the plea of insanity as a last resource. Medical experts are always available to testify to the moral irresponsibility of the culprit, bewildering the jury by their technical phrases. This subterfuge not unfrequently succeeds in defeating the ends of justice, though the sanity of the guilty party had never before been called in question.

I can recall a recent instance in which a man was convicted of a heinous crime. The insanity dodge was successfully availed of. He was committed to an asylum, from which he soon afterward escaped with the aid of his relatives, and no effort has since been made to rearrest him at his home.

A sovereign remedy for the suppression of lynching and for the restoration of the law's supremacy is found in a speedy trial and conviction of the accused, if he is found guilty, followed by the rigorous execution of the sentence.

It would be a great blessing for society if our lawmakers were to revise the criminal code now in force, and to sweep away, or at least considerably diminish, the barriers which interpose between the crime and its punishment. A prompt execution of the verdict would strike terror into evil-doers, and satisfy the public conscience.

But it is far more merciful to stop crime than to punish it by legislation. It is better to remove a cause than to repair its evil effects. From data before me, I infer that about seventy per cent. of those who perished by lynching in the Southern States between 1885 and 1903 belonged to the colored population. If the deep-rooted antipathy between the white and the black races were removed, or assuaged, these violent executions would be considerably diminished.

This blessed result can be accomplished only by submission to the teachings of the Gospel, which proclaims the equality of all men before God, with Whom "there is neither Gentile nor Jew, circumcision nor uncircumcision, Barbarian nor Scythian, bond nor free, but Christ is all in all."

If the American people were religiously impressed with the Gospel truth that we are all, without distinction of color, children of the same God, brothers of the same Christ, that we were all redeemed by His precious blood, that we are all descended from the same aboriginal parents, that we were created for the same eternal destiny, that Christ is our "Peacemaker, breaking down the wall of partition" which divides nation from nation, tribe from tribe, so that we might be all one family guided by the supreme law of charity,—if we were all controlled by these principles, then, indeed, the reign of vengeance would exercise less sway among us.

In the two lower counties of Maryland, the white and the black populations are nearly equally divided, and the great majority of both races profess the Catholic religion. I have had frequent occasions to visit these counties in the exercise of the sacred ministry.

Before divine service began, I have been delighted to observe

the whites and the blacks assembled together in the church grounds, and engaged in friendly and familiar intercourse. Then they repaired to the church, worshipping under the same roof, kneeling before the same altar, receiving the Sacrament at the same railing, and listening to the words of the same Gospel.

This equal participation in spiritual gifts and privileges has fostered the feeling of good-will and benevolence, which no human legislation could accomplish. I never witnessed anywhere else the white race so kind and considerate to the colored, nor the colored race so respectful and deferential to the white; for there was no attempt in these weekly gatherings to level the existing social distinctions. As far as my memory serves me, the records of these two counties have never been stained by a single instance of an outrage and a lynching.

J. Card. Gibbons.

AN ANGLO-FRENCH-AMERICAN UNDERSTANDING.

BY ANDREW CARNEGIE.

RANKING in importance with the appearance of Japan as one of the great World Powers, stands the recent treaty between Britain and France, by which all their differences, which so long have kept these two neighboring nations apart, are "in the deep bosom of the ocean buried."

To the monarch of England, the peace-making King, the credit is given, first, for feeling in his heart—for he has always liked France—that the two peoples should be friends, and, secondly, for suggesting the policy of bringing this about. In his broad-minded Prime Minister, Balfour, and in his able Secretary of Foreign Affairs, Lansdowne, he found sympathetic colleagues. The able French Minister of Foreign Affairs, Delcassé, and the Cabinet, no less indispensable, were also zealous for peace, and behind all this cordial support there lay the supreme voice of the people of both countries.

Centuries of conflict, invasions of each other's lands, and years of war at intervals, had made these neighbors historically inveterate foes of each other. When war was talked of, France arose in the memories of Britain, and "*perfide Albion*" in those of France.

In his young days in Scotland, the writer with other boys played soldier and built fortifications to resist the French invaders. The shade of Napoleon was still our scarecrow.

Since those days, France and Britain, weaving the web of destiny, each developing in its own line, have awakened to find that, so far from colliding, they have struck out different paths, each finding its own mission, devotion to which has not only been the best policy but that most congenial to the national genius, and

hence the most fruitful. Long did these two peoples contend for America with varying fortunes, France grasping it one day, Britain victorious the next. Long the issue trembled in the balance; the scales in time inclined to Britain, but later came France again to the front, extending her aid to the Republic, and America was Britain's no more. France lost America, so did Britain; and America found herself.

The struggle against Napoleon, in which Britain played so conspicuous a part, left the two peoples the bitterest of foes; time was needed to blunt the edge of mutual hatred.

Their cooperation in the Crimea, later in Egypt, and more recently in China, did much to soften asperities for a time; but the last act of the drama, ending in the Egyptian occupation by Britain alone, opened once more the deep and festering wound, which the wrongful and disastrous Boer War did not tend to heal. Years passed, and France became measurably reconciled upon both questions; the times were auspicious for settling all outstanding questions; the hour and the men were at hand. It was clearly seen that in the progress of years each had developed its own destiny. France had not proved a great colonizing country; such is not the genius of her people. "Sunny France" is far too attractive; her sons cannot be induced to leave her. There is no place like France to the Frenchman, and to many others as well. In this he shows his proverbial prudence and good sense. Few who know France and her colonies will be found differing from him.

The national genius of France is artistic. France has in this a surer monopoly than even America has of cotton. With extreme difficulty, and only after long years of steady application, if at all, will either be dispossessed. It is possible, though most improbable, that cotton may hereafter be produced somewhere as cheaply and as well as in America; but where and how is to be produced another artistic people equal to the French?

France is the world's shop. No silks, no linens, no statuary, no paintings, no wine, and none of the thousand and one articles of *bijouterie* and *vertu* like hers! For exquisite design and workmanship, as in many realms of art, she has the world at her feet.

Britain, on the other hand, and America also, have displayed aptitudes for producing the coarser articles needed by the world,

iron and steel, coal and ships, substantial cloths, and other things to meet the demands of the masses. With them, wear being the first consideration, art takes second place.

Britain, small in home territory, stands supreme as a colonizer. She has proved her genius for this. Justly is she hailed as the teeming mother of nations already born, and of others yet to be. This little Island, with Ireland alongside, is credited with an Empire comprising one-fourth of the population of the world. True, her ownership of this vast territory is nominal, not real. Her self-governing Colonies are independent nations, only owning allegiance to the same Crown; India is a conquered land, held in subjection by eighty thousand British troops possessing all the artillery. But, minimize the Empire as one may—as some British politicians do these days—as an affair of shreds and patches, which can be made a real Empire only by Preferential Tariffs, it remains the most remarkable achievement of which any race can boast. No people have shown more than a spark of the genius the Briton has for colonial development and rule over distant dependencies. Whether, upon the whole, backward races will not make real and enduring progress more steadily in the art of self-government, and in general education, if left to themselves, need not be here discussed.

In another element Britain also reigns supreme. Britannia still "rules the waves." More ship tonnage than belongs to all the rest of the world combined is hers. The contrast between the two Powers is complete. Britain takes to the sea, which surrounds her "as a moat defensive," and possesses the most of the world's shipping. France prefers the land, with her ten millions of landowners living on their own estates. Her petite culture is the marvel of the world. Britain colonizes lands abroad; France makes a garden of her land at home. One produces prodigious quantities of things in common use of average grade; the other supplies the world with the thousand and one articles of exquisite design and workmanship nowhere equalled. The French have the artistic genius, the British the practical. Thus their missions are complementary, not competitive. There is not only room enough for both in the world, they do not collide, they occupy different fields. Each can, and now does, heartily wish the other the largest and most bountiful measure of success. The continued material advance of Britain insures France a

larger customer for her products; and, conversely, the growth of France benefits Britain.

Therefore, when the note of peace was recently struck between the two stern foes of the past, it found many vibratory chords. The Egyptian was, no doubt, found the most troublesome of all questions to adjust, and that this was so successfully accomplished was encouraging. France agreed that Britain should manage in Egypt; and, in return, Britain agreed that France should manage in Morocco. All other points were easily and satisfactorily settled; and the two hitherto antagonistic Powers awoke to the fact that, not only had all their antagonisms melted into air, leaving not a trace behind, but in their place had arisen appreciation and regard, founded upon elements in each other's character and aims which give assurance of enduring friendship. Happy day for both these old lands, which have played such great parts in the past and given so much of value to mankind, even when estranged, and which now, united, give promise of harvests of beneficent action, not for themselves only, but for the world at large! The union of France and Britain counts for much the world over from this point of view.

America, the child of one of the two, and a fellow Republic through the aid of the other, bears the most intimate relations to both. It goes without saying that the treaty between France and Britain, which drew them so closely together, did not pass unnoticed in the Republic. On the contrary, it set all political students thinking. To no nation except Britain is the American Republic so closely bound by ties of lasting gratitude as to her sister Republic. Under no conceivable conditions can we imagine the two nations at war with each other. The shades of Washington and Lafayette would haunt the man who entertained the mere idea. Come what may, all differences will be peacefully settled, if any arise,—which is to assume that that might happen which has never happened yet.

France has recently separated Church and State, and now stands with her sister Republic as regards religious sects,—the friend and protector of all, the enemy of none. The bonds, strong before, have been strengthened thereby.

America owes so much to France that there is not a request France is ever likely to make that America would not deem it her duty to meet. Such the ties that bind the two great Republics;

and we may rest assured that France and America are never to forget the past that renders war between them unthinkable.

We have spoken of the different geniuses and careers of France and Britain. America is not one nation like these, but forty-five nations combined under one flag with free exchange. Each is sovereign, except as it has deputed certain powers to a general council of all the States meeting at Washington. In area, America is larger than Europe. It has all climates. It grows sugar in the south; and, as we pass northward, the pineapple belt succeeds and is followed by the orange belt. Then comes the cotton belt, so large that all the cotton produced in the world could be grown in half of one of the States. The corn (maize) belt follows; then, finally, the wheat, oats and barley belt of the North. Its mineral wealth is beyond computation. There can be no question that, as Green says, the home of the English-speaking race is to be in America. It is difficult to set limits to the final position of the vast horde, composed of ambitious and thrifty emigrants from European lands, all rapidly assimilated in the second generation through the universal free-school system,—all English speakers they must be, and sure to stand for the fundamental principles which to-day rule France, Britain and America.

The national genius of America, so far, has found scope in clearing the wilderness, building homes, cultivating the soil, pushing further and further west, north and south; building railways, of which the land has nearly as many miles as the rest of the civilized world, canals, roads, and telegraphs; damming and deepening thousands of miles of rivers, making them broad canals. Following this, the development of its mineral resources and of manufactures has been rapidly pushed. Such has been America's task.

The population, now about eighty-three millions, can be increased certainly to that of Europe. The capacity of the Republic to maintain even a larger population up to the European standard is clear. Her rapidly growing home market will continue largely to absorb her manufactures, only four per cent. of which now goes abroad.

The people are ingenious and inventive. To improve an existing machine, or mode of production or of administration, seems the special province of the American. Intense energy is his,

largely owing to the stimulating quality of the climate. Great intelligence, a quick mind, push, sobriety and a restless ambition to get ahead are qualities no one can deny him. There also comes the influence of republican institutions, a great force. The American is taught from the cradle that neither rank nor wealth amounts to much. As for the first, his rank is equal to the highest. As for wealth, he will soon make that all right; if not, it does not matter much, as he will make a competence if he can work; he saves his surplus earnings, and competence means independence.

In all national pursuits, the coming American will resemble his progenitor, the Briton; for the American type is British with a difference. He will not within measurable time, if ever, compete with artistic France; nor will his competition with the Briton in the finest grade of textiles and manufactures be keen for a long time to come. His province at present is to manufacture common qualities for the masses.

Politically, his laws and institutions will remain modelled upon the present form, to which Britain is drawing closer as she progresses toward pure democracy. What is found best in one land will be speedily adopted by the other. Externally, America may be expected to resist the colonizing temptation, and look closely to internal administration and the development of her continent. She will, therefore, be no competitor in the race for territorial aggrandizement.

While France and Britain have become reconciled, another great reconciliation has recently taken place between Britain and America. The relations now happily existing between them are to be credited to Lord Salisbury's administration, of which the present Prime Minister and Mr. Chamberlain were leading members. In the case of the Spanish-American War, Britain refused to take action with other Powers against America. It remained strictly neutral. This action impressed the American people as no other act of the Old-Home land had done. President McKinley to his latest day never, upon proper occasion, omitted to speak in highest terms of praise of, and to express his gratitude to, Britain. In this the late lamented Colonel Hay, one of the greatest Secretaries of State, was equally pronounced. In this they did not differ from the leaders and masses of both parties. To-day the American people realize that blood is very

much thicker than water; that their principles of civil and religious liberty were chiefly derived from, and are held in common with, Britain; and that a large portion of the British people, then unrepresented in Parliament, saw in the American struggle for independence an agency for securing their own political rights.

The Liberal Party in Britain and the masses of the people have been friendly to America from the first. Even during the War of the Revolution, their sympathies were with the American revolters. London expressed this feeling, as did other cities. Chatham and Burke and other leaders denounced the policy of suppression. It was the same in the Civil War. Bright, Cobden and other Liberal leaders favored the American Government, as did the masses. The patrician element, on the other hand, has not hitherto been cordial to America; but, as before stated, the latest and most telling proof of friendship for America is to be credited to it. This action fairly captured the heart of the American people, which is now with Britain to a degree never before since the Revolution. With all parties in America, as in Britain, it may now be said, the key-note of their policy is to draw closer the bonds between the branches of their own English-speaking race, and also with France.

Here then we have a trio of the leading nations of the world, determined to preserve lasting peace among themselves; built upon the surest of all foundations—different careers, each best adapted to its conditions and national genius; with similar institutions based upon the same formula,—"Government of the people, for the people and by the people,"—the creed and the whole creed of republicanism: two uncrowned Republics where any man's privilege is every man's right, one crowned Republic in which the rule of the people is as clearly the supreme law as in the uncrowned Republics. The King, sitting by virtue of the vote of Parliament and subject to it, holds one of the few perfect titles in Europe with which no Republican can quarrel.

It is, therefore, of three Republics we are treating,—another bond of supreme importance, as shielding them from the ambitions of hereditary dynasties and from the autocratic rule of the few, and leading them more directly to peaceful and industrial development.

From every point of view, no two of the other great Powers

have so much in common or are so free from antagonistic or rival aims as Britain, France and America. No other three nations are so entirely complementary in aims and destiny.

Possessed of such immense power, moral and material, it is no wayward conjecture that events may arise, from time to time, in world affairs upon which their uniform action will exert paramount influence. If the world once saw clearly, for instance, that these three free nations stood for peace through arbitration instead of war, other nations would be attracted to their side from time to time until their appeal became too powerful to be disregarded. The cooperation of France, Britain and America, a unit for all that tells for peace among nations and for higher civilization, is not unlikely to be one of the distinctive notes in the world politics of the Twentieth Century. Would we could flatter ourselves that there would be added to this peaceful union, some day soon, the Teutonic Power, kindred with Britain and America—that we might feel that war between Germany and France, America, or Britain, were as unthinkable as it has become between the three latter Powers. Militarism would then have received its death-blow, and Europe would soon be as free from its huge armies as America.

Let us indulge this fascinating hope, believing, as we may, that the extraordinary man who guides the destinies of Germany may yet reveal himself as intensely the friend of peace as either of the heads of the triarchy. Meanwhile let us rejoice that between France, Britain and America peace in her white robes sits enthroned, never again to be displaced. The world does move upward.

ANDREW CARNEGIE.

HOW TO EXTEND COMMERCE IN THE FAR EAST.

BY JEREMIAH W. JENKS, PROFESSOR OF POLITICAL ECONOMY AND POLITICS IN CORNELL UNIVERSITY.

In discussing the extension of commerce in the Far East, my purpose is to comment upon some principles of business, well known, to be sure, but often overlooked in current discussion, and to speak of some conditions to be met in the Orient before noting primarily what measures must be adopted. It must be kept in mind that the work of the economist is simply to state the principles of actual business. There is no true economic science that is not based upon actual business; and there can be no sensible business plans that do not rest upon study of business conditions in the special case under consideration.

It will be assumed also as fundamental that business is a complicated subject, requiring intelligence and training to understand it thoroughly and ability, often of a very high order, to conduct it successfully on any large scale. The needed training must be gained in good part in actual touch with business itself; but the training in a business house may, doubtless, be shortened, and likewise made broader and better suited to modern operations on a world-wide scale, by preliminary study in special schools and colleges adapted to that end.

Nature of Commerce.—The subject of commerce includes, of course, retail and wholesale trade on the one hand, and local, national, and foreign trade on the other. Each of these divisions has its own problems and its own methods, and to a considerable extent the training for each must be special. Naturally some fundamental principles, those of accounting, for example, are similar in all. It is necessary in every case that the business be so analyzed and understood that the reckoning of costs and

the determination of profits and losses can be made clear; and in many other ways the lines of business will be found similar, whatever their scope. On the other hand, the methods of purchase and sale of the retailer of necessity differ decidedly from those of the wholesaler. His methods of advertising, his systems of credit, his percentages of profit, his knowledge of markets, his whole range of information and activity must be vastly different. Likewise, the person who buys and sells locally, whose transportation of goods is limited by the delivery wagon, has problems quite different from those of the man whose business is largely a mail-order or express business if he is a retailer, or whose range of sales is national if he is a wholesaler. Still new and entirely different problems come up for the merchant whose business is international in its scope. In many instances, also, aside from the more narrow business questions, there enter into commercial transactions on a large scale questions of politics, which cannot be ignored if one's business is to be successful; and, again, the question of national politics, in the one instance, may easily broaden into one of international politics, in the other. The merchant in Chicago may find his business considerably hampered by the teamsters' strike, and may find that this question is complicated by relations which may arise with the city government, the State government or even the Federal Government; but, if his dealings are with the Far East, he may find that a shipment of machinery destined for Tientsin has been carried off to Vladivostok, as in one case which I knew, because the ship happened to carry also contraband of war for the Japanese, and the Russians captured it.

General Training for Commerce.—In current discussions in the press and elsewhere, many of the more fundamental principles of commerce, and the training which is requisite to enable our young men to cope with the problems which may arise in their business, have been adequately considered. It is generally conceded that, besides the principles of accounting and cost-keeping referred to, one should possess a fair knowledge of foreign exchange, a comprehensive outlook over the most important markets for the purchase and sale of leading staple products, a reasonable understanding of shipping by water and rail routes and the relative costs of different routes and classes of freights, an insight into the fundamental principles of commercial law, a

sufficient knowledge of the languages of the countries in which one is to work, besides, of course, a detailed knowledge of the goods to be handled and the special requirements of the individual business, which can be learned only in the business itself. I may assume, therefore, that these general principles are accepted and carried into effect, and I will simply answer some further questions as to the peculiarities of commerce in the Far East which will require certain special training to be added to the general training thus outlined.

The Problem of the Balance of Trade.—In most of the late discussions on the trade of the United States with the Orient, there has been emphatic insistence upon the necessity of our "extending our markets into the Orient," of our finding a field in which we may "dispose of the surplus of our manufactures." We have been repeatedly assured that, if we are to become a great World Power, it is necessary that we reach out and capture these Oriental markets for our goods as far as possible in advance of our rivals. Relatively very little has been said about the possibility of our finding in the Orient opportunities for purchases which may satisfy our own needs; and I have even found persons who have been speaking and writing upon these questions somewhat embarrassed when they were asked what they proposed to accept in return for the goods which they wished to sell in the Orient. It seems to have been thoughtlessly assumed, either that we might be willing to sell to the Orient without securing a fair equivalent in return, or, what is much more likely, that the Oriental country to which we might sell would have an unlimited supply of cash with which to pay for our goods. If, however, we are continually to expand our sales, there must be a corresponding expansion in the Orient of the power of producing those goods which the West may be willing to take in exchange. To take China for an illustration. For many years in the past China has paid for a large proportion of the goods which she has imported from foreign countries by the export of silk and tea, though of late other shipments are relatively increasing. It is a fair question whether foreign countries, if they double or triple their sales to China, are going to be willing to take twice or three times as much silk and tea in exchange, at prices which will be substantially the same as those at present; or whether they will take more products of other

kinds from China. If China has not now sufficient acceptable means of payment, will foreigners be willing to take an active part by investing capital to develop certain new industries and added wealth there, which will enable that country to supply foreign needs more readily in order to meet her increasing demands for foreign goods? We too often overlook the fundamental principle that, in the long run, a country must pay for what she buys, and that, speaking generally, she must pay for the goods which she purchases by goods which she sells.

Of course, in certain instances, if a country is a creditor country, as is England, she may purchase goods with the interest due on her bonds or stocks of a debtor country; or, if she has a great merchant marine, she may pay by the freights which foreign countries owe her citizens for transportation; or, if, as in the case of China, many of her citizens go abroad to labor, she may pay in part for the goods which she buys by the labor of her citizens working in the foreign country. In other ways also payments may be made; but, in whatever way we explain the matter as regards details, it is still clear that the citizens of a country, by their labor or by their capital, must in some way pay for the goods which that country buys.

An apparent exception to this general principle should, however, be made in the discussion of the extension of our commerce with the Far East. At the present time, China is much in need of railways, of iron bridges, of foreign machinery of various kinds. If our citizens have capital to invest in China and put that capital into the form of railway material or manufacturing establishments, it is probable that these American owners of the capital thus invested may be willing to let their capital stay in China, and to draw on that capital for use at home only the dividends on their investments. Indeed, in special cases, investors might well be willing practically to transfer their capital to China and to reinvest their profits there, making that for the time being the home of their capital, if not their own personal home. To that extent, there might be a selling of certain classes of goods to China, for which, for an indefinite period, there would be no return demanded in the form of exported goods. The pay might be taken in only a claim to wealth there. This would be probably the only exception to the above general principle.

Our Far-Eastern Markets.—We need also to distinguish rather

sharply the different markets open to us in the Orient, for the conditions of trade in these markets differ greatly, and the nature of the information needed and the methods to be employed differ accordingly. It is probable that for some years to come our chief Oriental markets will be: (*a*) The Philippine Islands; (*b*) China, including Manchuria; (*c*) Japan, including Corea; (*d*) other minor countries, such as Hongkong, the Straits Settlements, the Dutch East Indies, etc.

The Philippine Islands.—While the Philippine Islands are in one sense part of our national territory, in another sense they are to be considered in much the same way as foreign territory, because from their location many of their problems, such as the question of foreign exchange in the payment for goods and the cost of transportation, are similar to those in connection with other countries of the Far East. On the other hand, as regards the political influences which have a bearing upon their commercial condition, the problem is mainly domestic.

The Government there is, of necessity, friendly to the Government of the United States. (It is proper, I think, under the circumstances, to speak of a "necessary friendliness.") The Government of the United States is disposed also to favor the industries of the Philippine Islands at the expense, if need be, of other foreign countries, if not of the United States itself. The Philippines, in consequence, form in certain respects, perhaps, a better field for investment of American capital than do the other countries under consideration. It is probable also that some of the products of the Philippines are better adapted at the present time for American investments than those of most other countries, and investments are the forerunners of commerce in such cases. For example, nowhere else in the world is Manila hemp produced to any noticeable extent, and up till now, in spite of the partial competition of sisal and other fibres, there has been found no real substitute for it. Under the Spanish régime, and so far under the American régime, the methods of cultivation, of transportation, of purchase and sale, and of local manufacture of the hemp are of a very primitive nature. There can be no doubt that here is a very important field for the development of American commerce through a preliminary investment of American capital. Commissioner Forbes lately wrote that we could "treble the output of hemp by giving adequate

transportation and proper pay to the hemp-cleaners." This will, in the first instance, create a demand for American machinery and steel in the Philippine Islands; and then, later, as the hemp industry develops in importance, this increased wealth will lead to an increased demand for other American products.

The same statement may be made, with somewhat less emphasis, regarding the tobacco and sugar and cocoanut industries in the Philippines. The tobacco industry has already been developed to a considerable extent by Spanish and Filipino capital. It should become an immense industry, as should the extraction of cocoanut oil. The sugar industry, however, remains still in a decidedly primitive condition, and apparently needs for its large expansion only a somewhat more liberal policy on the part of the American Congress, in the direction of land privileges and lowered tariffs. Such added wealth would call for many more American products to pay for the exported tobaccos, copra and sugars. With proper methods of agriculture, of transportation, and especially of manufacture, in the sugar industry, there can be no doubt that it would greatly develop. Moreover, there is every reason to believe that, when the capital was once invested, the increased sugar product would be sold largely, not on the American market, as our timid advisers of Congress seem to fear, but rather on the markets of China and other countries of the East.

Still further investments in the building of railroads, of electric roads, of local steamship lines, of sawmills and in other industries of the Philippines would carry out this same principle of increasing the trade of our home country, as well as of the Philippines themselves, through the development of their wealth by American investments. They will not buy much more than they do now, until they can sell more.

China.—The situation in China is much the same as in the Philippines, with two or three important lines of difference. In the first place, the money of China is without any fixed standard, consisting practically, in case of larger payments, only of silver bullion to be weighed out. Each large dealer—even each traveller of means—has his own scales to weigh out his money, while almost every separate town has its own unit of weight, differing by often a considerable percentage from others. Silver bullion, too, is itself a marketable product, of which the value continually fluctuates in terms of gold. These things make the risks of busi-

ness so much like gambling risks that trade must, of necessity, be very seriously hampered, until the Chinese Government adopts some standard uniform system.

Again, owing to a considerable degree to the ill treatment which the Chinese have received from some foreign countries, through the seizure of territory and the mistreatment of individual Chinese, as well as to the very unfriendly attitude of some of the people of the United States in connection with Chinese immigration, and the rude treatment of cultivated Chinese at times by our immigration officials, the Chinese themselves are disposed to be suspicious, and, as we have seen of late, even decidedly unfriendly toward American trade. Not only are they inclined to boycott American goods in their purchases, but late letters from China intimate that they are urging the policy of refusing to work at all for Americans, to unload American goods from ships, or to handle them in any way. The boycott movement, put into effect in Shanghai, Canton and other ports in July, is spreading to Hongkong, the Straits Settlements and other places outside of China where Chinese live in large numbers. This suggests another point in connection with the extension of foreign commerce, upon which too great emphasis cannot be placed. In order to extend business in any country, the dealings with that country, both of the Government and of private merchants, must be, first, honest and, second, courteous.

There are many lines of investment in Chinese enterprises which, besides furnishing adequate returns on capital, will in turn encourage American exports to China. Not only may railroads and mines be developed, but such industries as the immense silk industry are managed by antiquated methods, and new capital and modern methods would give them an enormous development.

For the present, it is hard to tell whether the conditions in Manchuria are to be assimilated to those in China or to those in Japan. But, in any event, the conditions must be studied carefully with reference to the needs and tastes and prejudices of the people of Manchuria, rather than to our own customs.

Japan.—The conditions in Japan need to be differentiated quite sharply from those in China. In the first place, their monetary system is satisfactory, so that the risk of exchange is removed. Second, the Japanese, while disposed to be friendly, are neverthe-

less, as a nation, looking much more carefully after their own special internal interests than are the Chinese, so that it is perhaps even more difficult to find there a field for profitable investment. As is well known, the feeling among foreign investors in Japan, in many instances, is that they have not always been treated with fairness by the Japanese Government (for example, in the case of the tobacco monopoly and, at times, in the courts); and, furthermore, that Japanese tradesmen are not always trustworthy in their dealings. The Japanese are making earnest efforts to develop their own manufactures along many lines, so that their market needs to be more particularly studied with reference to the nature of the goods which Americans can sell there, as well as with reference to the products of Japan which can profitably be purchased by Americans.

The Other Countries.—No different condition in the other countries needs especially to be touched upon here, as they are severally of relatively minor importance.

Suggestions.—This hasty indication of what may be found in the Philippines and in some of the other countries, serves as a basis for touching briefly upon some of the principles that need to be taught in connection with our commercial colleges, and carefully considered by our exporters. First, it cannot be emphasized too often that, in selling goods, it is necessary to consider the likes and dislikes of the purchasers rather than our own. Our consuls are continually dwelling upon the fact that American manufacturers and merchants are too strongly inclined to insist upon keeping their own standards, and imposing those standards upon the Chinese, Japanese and other foreigners. An illustration from late consular reports will explain:

Chinese shoes are quite different in type and style from American shoes; in consequence, our American rubber overshoes and boots are sold hardly at all in China, whereas Germany is supplying many. The Germans make a special, short half-boot of light weight, which does meet Chinese requirements, and the Chinese are using them in large numbers; whereas the American rubbers can be worn, and are worn, only by the few Chinese who have adopted the foreign style of dress, or by those who wear them as shoes and not as overshoes.

The Germans and the Japanese have far outstripped us in their readiness to meet Chinese needs. Hundreds of miles in the in-

terior of China are found clocks, cheap ornaments and toilet articles of various kinds made in Germany or Japan, often after an American model, sometimes labelled as American, but poorer and cheaper than the American product, and in consequence more acceptable to the Chinese. If our merchants had learned the principle that they must study the needs of their customers as thoroughly as have the Germans and the Japanese, we should in many cases be supplying the needs now supplied by them.

Moreover, we have not learned to pack our goods well for so long and difficult a shipment. In consequence, our goods frequently arrive in the Far East so damaged that they are scarcely saleable,—an inexcusable neglect, showing lack of intelligent information.

Again, the English particularly, but also the Germans, have accustomed the people in the Far East to long-time credits. Obtaining their capital at low rates of interest at home, they will readily carry an account for six months or a year, whereas our dealers often require payment in cash, even in part before the goods are delivered. We can scarcely hope to achieve great success, if we do not recognize customs of credit such as these.

Most important, perhaps, of all, as I have intimated before, is the fact that we do not always have the reputation of fair and courteous dealing, either politically or in a business way, though in these regards we are on the whole not worse than others. The Chinese distrust all foreigners in many ways, though generally recognizing the business honesty of the regularly established houses. The record which the Americans have made in working the concession for what is possibly the most important railway in all China (the Canton-Hankow line), has greatly discredited us. In the concession, it was provided that the Company should be and should remain American; but, within a comparatively short time, the control of a majority of the stock was placed in the hands of the Belgians, who were apparently so closely associated with the French and the Russians that the Chinese felt, and with reason, that they had been grossly deceived and mistreated, not to use so strong a word as "betrayed," by the Americans. Only under pressure of the threat of cancelling the concession was the road finally bought back by Americans; and lately, as we know, the Chinese have bought back the road at a profit to the Americans;—or, to put the matter differently, the Chinese Govern-

ment cancelled the concession and paid the American stockholders an indemnity large enough to yield them a profit. This treatment of this concession by the Americans, *i. e.,* the selling of the controlling share of the stock to the Belgians, which the Chinese themselves believe to be dishonorable, and which very many Americans who have investigated the question likewise consider dishonorable, has so discredited our Government and our business men that the small amount of money made by a few private speculators has been lost hundreds of times over by the loss of national and business prestige thereby incurred.

There is little use of attempting to extend trade in a country, unless we are willing so to deal that the citizens of that country will have confidence in us and will be inclined, on the whole, to like us rather than to dislike us. The prompt action of the President in his orders regarding immigration to our consuls and immigration officials is clearly wise and right. It is greatly to be regretted that means were not found in time to repair the damage to our prestige done by the Canton-Hankow railroad in some way which would have retained for us this concession.

It is to be said, on the other hand, that American individuals, whether travellers or business men resident in China, are often, if not usually, better liked personally by the Chinese than are the citizens of almost any other country. Americans, as a rule, are more kindly and more courteous in their treatment of the Chinese than are others. They have been trained in a democratic country, and they are more likely to treat the Chinese as equals, or at any rate as human beings, than as beings of an inferior order who may be beaten or kicked or insulted at will. I have seen foreigners, travelling in the interior, stone Chinese bystanders, who were merely gratifying a natural curiosity by looking at them, as in our rural districts, where Chinese are rarely seen, they would be looked at by our people. In Peking even, I saw one day an Austrian sentry, instead of quietly warning off an old ignorant Chinese and his wife riding a donkey along a forbidden path utterly innocent of any wrong-doing, club them both with a heavy cane until the old woman fell from the donkey in her fright and efforts to dodge.

In China particularly one should know the technical laws growing out of the principle of exterritoriality, which obtains in China in the dealings between the Chinese and foreigners. It might

frequently be very useful to know the leading points in the commercial laws of Germany, France, England and other countries, because the laws of those countries are administered in China in the consular courts representing the different countries. Of course, the knowledge of goods of the type which the merchant proposes to sell or buy is essential.

We need, moreover, to train our young men, whether they expect to serve as consuls or as salesmen, that, if they are to succeed, they must be prepared to stay in the Orient a considerable length of time, and to study carefully the conditions. If their field of work is in China and they wish to be thorough, they must learn Chinese, at any rate must learn to speak the commercial Chinese—and that is no more difficult than to learn to speak German, although it is much more difficult to learn to write Chinese than to learn to write German. The Germans are compelling many of their well-trained young men to familiarize themselves with the Chinese language. We must do the same with ours. It is utterly useless to send out catalogues and price-lists printed in English, as is so often done.

Of greater importance is it, however, to study the Chinese customs of living, of manufacturing, of buying and selling, so that our manufacturers may fit their supplies to the local demands, and may stand ready to learn what opportunities may arise for improving the products of China which they may wish to buy for export. The general principles of buying and selling, of account-keeping, etc., may be learned in our schools; the details of an Oriental business can be learned only in the Orient.

The principles of money and of banking, and especially of foreign exchange, must be learned, and thoroughly learned; first, because, on account of the present evils arising from fluctuations in exchange, business is largely speculative, and it is necessary to reduce the risks as far as possible; and, second, because it is important that every foreign dealer in China should so understand what is needed that his influence may continually be used to induce the Chinese Government to improve its system. Too many of the suggestions already made by foreigners have been suggestions in the wrong direction.

It is important, too, for success from a national point of view in this commerce, that our young men should have a pretty thorough training in economics—enough to lead them to know

and to feel that it will pay as well to learn what the Orient can sell as what it will buy; to see that exploitation is not a sound policy for a permanent foreign trade, but that a large and permanent trade can be built up, in the long run, only if it is soundly based upon a fair exchange for the benefit of both countries, and that an investment in a foreign country, for the purpose of developing its export trade, may prove as useful to the home nation as selling goods in that foreign country for the immediate profit of the home exporter.

Those interested in our commercial expansion in the Far East may also look further and see what can be done to train capable Chinese here; the Japanese are looking well after their own training. That will also extend trade, and it is of prime importance both commercially and politically. It is well known that Japan, Belgium, Germany, and other countries are offering special inducements to young Chinese to go to those countries to study, and they are going to those countries in far larger numbers than they are coming here. Probably fifty students go to Japan for every one coming to the United States. There can be no doubt that, when these Chinese return home to undertake work as engineers or as manufacturers or as merchants or as officials, they will certainly favor in the long run the countries in which they have been trained. It is greatly to be desired that both our Government and our people do what they can to encourage Chinese, Japanese, Filipinos, and other Orientals to come here to secure their training, both general and commercial. We can afford to make good financial expenditures to bring about that result.

And, finally, it is important to emphasize again that a fundamental business principle, to be kept always in mind, is that tolerant, liberal, fair dealing is the only wise policy from the business as well as from the moral point of view. This principle needs particularly to be emphasized in connection with the Orient, and with other countries less developed in commercial and manufacturing methods than our own, because the temptation is always stronger to deal unfairly with those unversed in Western methods, and because, as a matter of fact, the attempt has been made and in many cases successfully, both by governments and by individuals, to exploit unfairly many of the Orientals.

JEREMIAH W. JENKS.

THE POWER OF CONGRESS TO REDUCE REPRESENTATION IN THE HOUSE OF REPRESENTATIVES AND IN THE ELECTORAL COLLEGE.

BY EMMET O'NEAL.

THE exclusive right of the several States to fix the qualifications of voters is older than the Constitution. Exen in Colonial times the right to vote had been regulated by the several Assemblies and not by Parliament, and this right was not surrendered when the Federal Union was formed. As the Supreme Court of the United States declared:

> "The right to vote in the States comes from the States, but the right of exemption from the prohibited discrimination comes from the United States. The first has not been granted or secured by the Constitution of the United States, but the last has been."

The Constitution of the United States, therefore, does not confer on the citizen the right of suffrage. The unabridged and exclusive right of the States to fix the qualifications of voters still exists, subject only to the prohibition contained in the Fifteenth Amendment. The removal of that prohibition would leave the several States vested with their original and unlimited power to regulate and control the suffrage of their citizens.

The scheme of reconstruction adopted after the close of the Civil War, influenced necessarily by the inflamed state of public sentiment engendered by that mighty conflict, included the Thirteenth, Fourteenth and Fifteenth Amendments. The abolition of slavery speedily followed, as an expected result of the war. As repeatedly declared by the Supreme Court, and as shown by the debates in Congress during the period of its adoption, the *main purpose of the Fourteenth Amendment* was to establish the

citizenship of free negroes, which had been denied by the "Dred Scott" case, and to make all blacks, born or naturalized, in the United States, citizens of the United States.

The second section of this Amendment says:

"Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the executive and judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age and citizens of the United States, or in any way abridged, except for participation in rebellion or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State."

This section, then, confers on Congress the power to reduce the representation of a State which denies or abridges the right of any inhabitant of the State, twenty-one years old, and a citizen of the United States, to vote, except for participation in rebellion or other crime.

Is this section of the Amendment to be literally construed? Was its aim to inflict a penalty on the State which denied universal and unrestricted suffrage? Was it the purpose of the Amendment, while not undertaking to fix the qualification of voters, to condemn and punish the State which did not accord to every male inhabitant thereof, who had attained his majority, and who was not disqualified by crime, the unrestricted right of suffrage? Was the object of this amendment to change radically the whole practices of the State Governments, and to hold over a State which placed any restrictions or qualifications on suffrage the potent threat of reduced representation in the Congress and in the Electoral College? Is the State which limits its suffrage by the imposition of a property or educational qualification, or the requirement of registration, or the payment of a poll-tax, or a residence for a term of years, liable to the penalty of reduced representation under the provisions of this section?

We can but concede that an affirmative answer to these questions would voice the popular construction of the meaning and purpose of this section of the Amendment. This is abundantly established by the numerous discussions of the power of Congress

on this subject, which have appeared in the past twelve months in the press and periodicals of the country, as well as by the debates and bills introduced in Congress. The power of Congress to reduce the representation of a State which imposes any restriction on the exercise of the elective franchise, seems to be generally conceded, the expediency of such action alone being questioned or denied.

Yet, if section two of the Fourteenth Amendment should be literally construed, the anomalies which would follow would be astonishing. A State which denied the right to vote to any male inhabitant who was twenty-one years old, except for participation in rebellion or other crimes, would be liable to the penalty prescribed. Such a construction would prevent the State from denying suffrage to idiots or insane persons. It would tacitly condemn any regulations requiring registration, or the payment of a poll-tax, as a prerequisite to the right to vote. A citizen of the United States, migrating from one State to another, would be entitled to vote in a State the moment he became an inhabitant of it. Yet the constitution of Alabama, for instance, provides that every person shall reside at least two years in the State before he is entitled to vote. The laws of other States contain similar provisions. But the requirement of a residence from any male citizen of the United States, before allowing him the privilege of voting, would be abridging the right of a male inhabitant of the State, who is a citizen of the United States, to vote and would be against the policy and purpose of section two of the Fourteenth Amendment.

In speaking of the Fourteenth and Fifteenth Amendments in the "Slaughter-house" cases, Justice Miller says:

> "But what we do say, and what we wish to be understood, is, that, in any fair and just construction of any section or phrase of these Amendments, it is necessary to look to the purpose which we have said was the pervading spirit of them all, the evil which they were designed to remedy, and the process of continued addition to the Constitution, until that purpose was supposed to be accomplished, as far as constitutional law can accomplish it."

Those who assume that any fair and just construction of any section or phrase of the Fourteenth Amendment warrants the conclusion that its purpose was to invoke the penalty of reduced representation against the State which did not vest all of its

male inhabitants with unrestricted suffrage, and that such a State could only escape the consequences of exercising its power of prescribing qualifications for its voters by the leniency of Congress, have signally failed to comprehend the pervading spirit of the Fourteenth and Fifteenth Amendments, the evil they were designed to remedy, or the well-known and declared objects and purposes they sought to accomplish. The first section of the Fourteenth Amendment opens with a definition of citizenship, not only citizenship of the United States, but citizenship of the States. The definition of citizenship had been the occasion, as declared by Justice Miller, of much discussion in the courts, by the executive departments, and in the public journals. "It had been said by eminent judges that no man was a citizen of the United States, except as he was a citizen of one of the States composing the Union." It had been held in the "Dred Scott" case that a man of African descent, whether a slave or not, was not and could not be a citizen of a State or of the United States.

As declared by the Supreme Court, the main purpose of this Amendment was to establish the citizenship of the negro.

The first section of the Fourteenth Amendment also recognized and established the distinction between citizenship of the United States and citizenship of the State. To be a citizen of a State, a man must reside within the State; but it is only necessary that he should be born or naturalized in the United States to make him a citizen of the United States. While this amendment declared that no State should make or enforce any law which shall abridge the privileges and immunities of citizens of the United States, the Supreme Court has declared that the right of suffrage was not one of the privileges and immunities of citizenship before the adoption of the Amendment, that at the time of its adoption suffrage was not coextensive with the citizenship of the State or universal, and "that neither the Constitution nor the Fourteenth Amendment made all citizens voters."

In other words, while this Amendment made the negro a citizen, it did not make him a voter. The further declaration in this Amendment, that "No State shall deny to any person within its jurisdiction the equal protection of the laws," was designed, as declared by the same court, to prevent any person or class of persons from being singled out as special subjects for hostile and discriminating legislation.

Speaking of section two of the Fourteenth Amendment, the Supreme Court of the United States has declared in the case of "McPherson *vs.* Blacker" (146 U. S., p. 39), as follows:

"The right to vote intended to be protected refers to the right to vote as established by the laws and constitution of the State. There is no color for the contention that, under the Amendments, every male inhabitant of the State, being a citizen of the United States, has from the time of his majority a right to vote for Presidential electors. The object of the Fourteenth Amendment, in respect to citizenship, was to preserve equality of rights, and to prevent discrimination as between citizens, but not to radically change the whole theory of the relations of the State and the Federal Government to each other, and of both governments to the people."

If contemporaneous history and practical construction are to be allowed their legitimate force, there is no basis, then, for the contention that section two of the Amendment authorized Congress to impose the penalty of reduced representation on a State, which, while making no discrimination against any class or race, exercised its sovereign power to prescribe qualifications for voters. Though the student can learn from the debates in Congress many reasons for the adoption of the Fourteenth Amendment, yet he can learn more from the report which the Joint Committee on Reconstruction made, when it offered the Amendment. In that report it was stated that it was doubtful whether the States would consent to surrender the power to prescribe the qualifications of voters, a power they had always exercised and to which they were attached. This was assigned as the reason for not vesting Congress with the right to regulate or control the suffrage. The committee concluded that political power should be based in all States, exactly in proportion as the right of suffrage should be granted, "*without distinction of color or race.*" Leaving the whole power of regulating the suffrage with the people of each State, as the committee declared, the creators of the Amendment believed that the advantages of increased political power would be an inducement to allow all to participate in its exercise.

The debates in Congress, and the declared purpose of its authors and advocates, establish beyond controversy that the primary purpose of the Fourteenth Amendment was to protect the negro race, and to force negro suffrage upon the South, by means of the penalty of a loss of its representation.

Since the adoption of the Fourteenth Amendment, while numerous bills have been introduced in Congress seeking to enforce the penalty prescribed by section two of the Amendment, it was not until the national campaign of 1904, that any political party demanded the enforcement of this penalty. In the platform adopted at Chicago by the Republican National Convention is found the following:

"We favor such Congressional action as shall determine whether, by special discriminations, the elective franchise in any State has been unconstitutionally limited; and, if such be the case, we demand that representation in Congress and in the Electoral College shall be proportionally reduced, as directed by the Constitution of the United States."

Since the convening of the last Congress, numerous bills have been introduced in that body, seeking to carry out this pledge of the Republican platform.

This section of the platform, moreover, is worthy of careful consideration, for it is the latest, most deliberate and authoritative expression of the views of the dominant political party on this important subject. It clearly and boldly presents the issue to the American people.

What is meant by "the unconstitutional limitation" by "special discrimination" by any State of the elective franchise? As we have shown, while the Fourteenth Amendment made the negro a citizen, neither it nor the Fifteenth Amendment made him a voter. The Fourteenth Amendment did not establish *universal* suffrage, either directly or by implication. It only imposed the penalty of reduced representation on a State that denied or abridged the right of the negro to vote, on account of his race or color. Construed, then, in the light of the Amendments, and following the construction of the Amendments made by the highest judicial tribunal of the Republic, the clear meaning of the Republican platform is a demand that Congress shall determine whether any State has denied or abridged the right of a citizen of the United States to vote, on account of his race, color, or previous condition of servitude, in violation of the Fifteenth Amendment. If Congress should determine that such denial or abridgement of the suffrage has occurred, the demand is, further, that the representation of such State shall be reduced by Congress in the House of Representatives and in the Electoral College. The pertinent and important inquiry, then, is, Has Con-

gress the constitutional power to reduce the representation of a State in Congress and the Electoral College, if it should reach the conclusion that a State has denied or abridged the right of the negro to vote, on account of his race, color, or previous condition of servitude?

An answer to this important question requires a brief review and *résumé* of the history and purposes of the Fourteenth and Fifteenth Amendments.

The Fourteenth Amendment did not undertake, directly or by implication, to interfere with the rights of the States to regulate and control the suffrage of their citizens. If a State denied to the negro as a race the right of suffrage, the penalty which Congress could impose was a reduction of representation in Congress and in the Electoral College. Instead of denying, the Fourteenth Amendment recognized, the unabridged power of the State to deny the right of suffrage to the colored race, by the imposition of a penalty for its refusal. If this Amendment had denied the right of the States to refuse the elective franchise to the negro race, the imposition of a penalty for such refusal would have been unnecessary, for such a refusal would have been void. The authors and supporters of this Amendment had hoped and confidently expected that the penalty provided would prevent any State from denying to the negro, as a race, the elective franchise, on account of the reduced representation which might follow. In a recent work on the Constitution of the United States, Thorpe, after reviewing the debate on this passage of this Amendment, concludes with the following language:

"The Fourteenth Amendment established the citizenship of the negro and was intended to secure him the benefit of his freedom. But still it left him without the right to vote. Its supporters had hoped that the Southern States would be induced to grant him this right because of the increased representation they would thereby secure in Congress. This hope was not realized, and the Republicans determined to take away from the States the power to discriminate against any citizen of the United States as a voter, on account of his race, color, or previous condition of servitude."

Embittered by the failure of the South to grant the negro the right to vote, Congress resolved to transfer to itself the power to regulate the suffrage in the States. It is a matter of history that, had the Fifteenth Amendment finally passed as amended in the Senate, the States would have been stripped of all power, and

Congress alone would have dominated all elections, and regulated the qualifications of voters. Senator Williams, of Oregon, did propose to amend the original resolution offered by Boutwell by asserting the power of Congress to regulate the right to vote, and keeping the whole matter within the control of the National Government. But the entire Democratic vote resisted this radical innovation, and the Republican leaders were forced to agree to their views. Finally, Wilson, of Massachusetts, offered a substitute to the effect that no discrimination should be made in the right to vote, in any State, on account of race, color, nativity, property, education, or religious creed, and this substitute passed by a small majority. The House, however, declined to agree to this substitute, and the resolution was finally passed in the form in which the Amendment now appears, but only after repeated efforts had been made so to amend it, as to make every citizen, twenty-one years of age or over, a voter, not to be disfranchised except for crime. The history of this Amendment shows that, while the Democratic minority were unable to defeat a suffrage measure, they did determine its form, and did compel the majority so to word the Amendment as to recognize the sovereignty of the States, and to practically continue in the States the right to regulate the elective franchise.

The close vote, however, by which the proposition to transfer to Congress the control of the suffrage was defeated, shows by what narrow margin, the courage and fidelity of the opponents of the centralizing tendencies of the times prevented an innovation which would have fettered and degraded the State governments, by subjecting them to the control of Congress, in the exercise of a power, theretofore universally conceded to them, of the most fundamental character. So radical an innovation, if accomplished, would have changed the very form of our government.

The debates in Congress and the decisions of the Supreme Court established the following propositions:

1. The Fourteenth Amendment, while it made the negro a citizen, did not make him a voter, or deny the right of the State to exclude him as a race from participation in the elective franchise. As recently stated by the Supreme Court in the case of "Pope *vs.* Williams" (193 U. S., p. 632):

"The privilege to vote in any State is not given by the Federal Constitution, or by any of its Amendments. It is not a privilege springing

from citizenship of the United States. It may not be refused on account of race, color or previous condition of servitude, but it does not follow from mere citizenship of the United States. In other words, the privilege to vote in a State is within the jurisdiction of the State itself, *to be exercised as the State may direct and upon such terms as it may deem proper, provided of course no discrimination is made between individuals in violation of the Federal Constitution.*"

2. The second section of the Fourteenth Amendment did not vest in Congress the power to reduce the representation of a State, which had regulated the suffrage in any manner it saw proper, provided the regulations were uniform, and did not discriminate against individuals on account of race, color or previous condition of servitude.

There is no authority for the contention that the Fourteenth Amendment sought to establish universal suffrage.

3. The Fifteenth Amendment simply invested the citizens of the United States with the right of exemption from discrimination, in the exercise of the elective franchise, on account of race, color or previous condition of servitude. Any action of a State, not directed by way of discrimination against the negro as a class, or on account of race, does not come within either Amendment.

These propositions of law, sustained by the highest judicial authorities, justify the assertion that there is no limitation on the sovereign power of the State to impose such restrictions or qualifications on the suffrage of its citizens as it may deem proper, which are not directed in hostility to the negro as a race, and that such regulations when tested by judicial construction will be upheld. As declared in the case cited above:

"A State, so far as the Federal Constitution is concerned, might provide by its own constitution and laws that none but native-born citizens should be permitted to vote."

Before the passage of the Fifteenth Amendment, the former slaveholding States had the power to confine the suffrage to the white race, and accept the penalty of reduced representation, if imposed by Congress. The willingness of the South to accept reduced representation, rather than risk the horrors and profound degradation which would follow making a race of ignorant slaves their voters and lawgivers, their judges and representatives, was the primary cause that induced the passage of the Fifteenth Amendment. This Amendment withdrew from the States the

power to discriminate against the negro on account of his race, in the exercise of the elective franchise. After its passage, no State could confine its voting population to the white race alone. As declared by the Supreme Court:

"Beyond question, the adoption of the Fifteenth Amendment had the effect in law to remove from the State constitutions, or render inoperative, that provision which restricts the right of suffrage to the white race."

The Fifteenth Amendment in effect repealed that portion of the Fourteenth Amendment which recognized the unlimited power of the States to control suffrage, and to limit the elective franchise to the white race. Any discrimination by a State, by way of denial or abridgement of the right to vote, on account of race, color or previous condition of servitude, was rendered inoperative and void by force of the operation of the Fifteenth Amendment. No Congressional legislation was necessary; the amendment was self-executing without ancillary legislation.

It follows, therefore, that the passage of the Fifteenth Amendment withdrew from Congress the constitutional power to reduce the representation of a State on account of any legislation which discriminated against the negro as a voter on account of his race. If a State passed a law which violated the provisions of the Fifteenth Amendment, such a law was unconstitutional and void. If the law was void, it could not deny or abridge the right of the negro to vote. By what authority, then, can Congress reduce the representation of a State for enacting, by its constitution or by statute, laws which discriminated against the negro in the exercise of elective franchise on account of his race or color—laws which, by the operation of the Fifteenth Amendment, are void *ab initio;* which possess no more force or effect than if they had never been written on the statute-book? A State law which contained such discrimination would be void; and, when tested in any court, State or Federal, would be so declared.

This doctrine has been recently declared in the case of "Giles *vs.* Teasly" (193 U. S., p. 146). In that case, the complaint alleged that the provisions of the Alabama State constitution were repugnant to the Fifteenth Amendment. Demurrers being filed, the court held that, if the provisions of the constitution of the State were repugnant to the Fifteenth Amendment, they were

void, that the Board of Registrars appointed thereunder had no existence and no power to act, and would not be liable in an action for damages for the refusal to register.

If the constitution of Alabama is in violation of the provision of the Fifteenth Amendment, it is void, and would furnish no obstacle to the exercise of the right of suffrage by the negro. Congress could not reduce the representation of Alabama for disfranchising the negro, when by operation of law the disfranchisement did not exist.

The demand of the Republican platform, a demand from a party which received the endorsement of the people in the last national election, is that Congress must determine whether a State has passed a law in violation of the Fifteenth Amendment. It is clear that Congress can only decide this question by exercising judicial functions, by converting itself into a court, and sitting in judgment on the constitutionality of the laws of a sovereign State of the Union. Having usurped judicial functions, having reached the conclusion that the suffrage laws of a State were unconstitutional, that the negro as a race was disfranchised on account of color, the next step which is demanded is that a reduction shall be made in the representation of the State in the lower house of Congress and in the Electoral College. The programme of usurpation disclosed by the demands of this platform should arouse the serious and earnest consideration of the country. Well may it be asked, What reason could be given for such a reduction in representation, if Congress should decide to make it? What would be the offence of which the State was guilty, which would justify Congress in stripping it of its sovereign power and lessening its influence in the councils of the nation? The only answer could be that the State had passed laws which, by the express terms of the Fifteenth Amendment, were void and inoperative; which, in the language of the Supreme Court, "*have no existence*"—laws which left the negro, possessing the requisite qualifications, the same right to vote as the white man.

In other words, the exercise of the power claimed for Congress, by the demands of the Republican platform, would put Congress in the singular attitude of reducing the representation of a State for passing a void law. Suppose Congress, in the exercise of its assumed power, should decide that a State law on suffrage was

repugnant to the Fifteenth Amendment, and should proceed to reduce the representation of that State, and the Supreme Court should declare the law to be valid, and constitutional—which decision would control, the decision of Congress, or the decision of the highest legal tribunal in the country?

The Constitution of the United States provides that the judicial power of the United States shall be vested in the Supreme Court. This judicial power, in the language of the Constitution, "extends to all cases in law and equity arising under the Constitution, the laws of the United States, or to controversies between a State and its citizens." Yet, if the asserted power of Congress to sit in judgment on the constitutionality of the laws of the States in reference to suffrage, has any existence or warrant of law, its effect would be to strike down the line of demarcation which obtains between the three great departments of Government. The courts would be stripped of their power to expound and enforce the laws, and in their stead would be substituted a partisan Congress, obeying the exigencies and demands of party necessity rather than the rules of law; vested with judicial functions, and made the final judge of the validity of the laws of the States; clothed with arbitrary power to reduce the representation of the States and lessen their influence in the House of Representatives and in the Electoral College. The power of the courts to determine great constitutional questions would be transferred to a partisan Congress, and the legislative department of the Government would usurp the functions of the judiciary.

The courts of the country are fully competent to protect the negro in all his rights of suffrage, by rendering inoperative any hostile or discriminating legislation, in violation of the Fifteenth Amendment. The radical doctrine now asserted is that a State can be stripped of its power, punished and degraded for passing laws which, by operation of the Fifteenth Amendment, are absolutely void. Fortunately for the country, this dangerous doctrine has no warrant or support in the Constitution, and was repudiated and denied by the Congress that framed the Fifteenth Amendment. It was denounced then as an effort to subvert our form of government, and convert it into a single, centralized and consolidated government, in which the separate existence of the States would be entirely absorbed. It would establish an unqualified despotism in place of a Federal Union of coequal States.

The power of Congress to reduce representation in the House of Representatives and in the Electoral College, under the provisions of the second section of the Fourteenth Amendment, could only arise when a State abridged or denied the right to vote on account of *race, color, or previous condition of servitude.* Until the passage of the Fifteenth Amendment, the State possessed such power. It does not now exist. The Fifteenth Amendment, in effect, repealed that portion of the Fourteenth Amendment which authorized or recognized the power of the States to limit the suffrage to the white race, and hence necessarily withdrew from Congress the power it possessed to reduce representation. Of course, the Amendment might still afford a remedy "for a case, supposed by Madison, where treason might change a State government from republican to despotic, and thereby deny suffrage to the people."

The Fourteenth Amendment was in the nature of a threat. It said to the former slaveholding States: "Unless you include the negro among your electors, Congress will reduce your representation." The South answered that she would consent to the surrender of her power in the councils of the nation rather than submit to the unspeakable horrors, the humiliation and degradation which would follow the rule of an inferior race, from whose limbs the shackles of slavery had been struck in hot and vengeful haste, and who without previous preparation had been clothed with all the responsibilities of citizenship. The dominant party that controlled Congress, bitterly disappointed at the attitude of the South, replied with the Fifteenth Amendment, saying in effect to the South: "Since you will not accord suffrage to the negro, we now prohibit you by a constitutional Amendment from abridging or denying the right of the negro to vote on account of his race or color; we no longer threaten you with reduced representation if you fail to carry out our settled policy. *We command you to make no discrimination against the negro as a race in your suffrage laws.* You can no longer accept the alternative of negro suffrage or reduced representation, and we leave no field for the provisions of section two of the Fourteenth Amendment. Congress cannot reduce your representation because you are without power to abridge the right of the negro to vote on account of his race. Such an abridgement would be void by the mere operation of the Fifteenth Amendment, without any ancillary legislation."

Keeping, then, steadily in view the established fact that the Fifteenth Amendment in effect repealed and nullified section two of the Fourteenth Amendment, which authorized Congress to reduce representation for a denial or an abridgement of suffrage to the negro race on account of race or color, the Southern States, which, in the exercise of their sovereign and unquestioned power to regulate and control the suffrage of their citizens, have been impelled by a solemn conviction that the preservation of their civilization demanded that they prevent a recurrence of the horrible misrule, anarchy and corruption which followed unrestricted negro suffrage, need have no apprehensions of a reduced representation. Having violated no provision of the Federal Constitution, but only exercised a right they reserved when the Federal Union was formed, the States of the South, with no word of apology on their lips—not in the attitude of suppliants asking for mercy or appealing to the clemency of the dominant political party—can with calm and assured confidence rest their defence on the bedrock of the Constitution.

The South alone is competent to solve the serious problems which were created by the emancipation and enfranchisement of the negro race,—to solve them justly, permanently, and with such wisdom as is possible to the finite mind. And, while it is to be hoped that the conservative sentiment of the country will prevent any serious effort being made to put into force and effect the repudiated policy of Congressional control of the suffrage,—to revive sectional animosity and rekindle race antagonisms,—yet the States of the South which have reformed their suffrage laws are sustained by the confident assurance that they have only exercised powers never surrendered to the Federal Government, powers essential to the preservation of their local governments from misrule and virtual anarchy.

The Southern States can place their reliance, not on partisan majorities in Congress, not on the shifting sands of political expediency, not on the support of political allies, or the endorsement of the conservative and intelligent sentiment of the country, but rather on that supreme judicial tribunal of the Republic, which has always "held with a steady and an even hand the balance between State and Federal power."

EMMET O'NEAL.

IS CATHOLIC EDUCATION A MENACE TO AMERICAN INSTITUTIONS?

BY THE REV. JOHN F. MULLANY, LL.D.

CATHOLIC schools are as well established a fact in the United States as is the Catholic Church. Parish schools and private schools, convents and academies, colleges and universities, kindergartens and manual-training schools are scattered throughout the land. The foundling and the orphan are cared for as well as the child of wealth. The charity of the Church is the practical application of her teachings, and this charity is as widespread as humanity. It stops not at creature comforts and material well-being, but supplies intellectual food and distributes the bread of moral and spiritual life. Education has been at all times in the history of the Church a vital question upon which she has never made compromise, a paramount fact for which her children are prepared to make many sacrifices; it has been a cherished work to which she has given her serious thought. The decrees of Council and Synod in every Christian land are untiring in urging upon the clergy to look after the education of the children, the faith and morals of their teachers, and the character of the instruction given them. Wherever a church is erected to-day there a school must be established.

I.

The education of youth is intimately and inseparably connected with the work of the Catholic Church. It is a function she can never abandon. And so we witness to-day the spectacle of men and women renouncing all other duties and responsibilities in life, that they may devote themselves to the noble work of educating Catholic youth. They impart secular knowledge, and with it, giving it life and force, they impart Christian doctrine

and the principles of Christian morality. These religious teachers are held in respect and esteem by those who know them, and looked upon with suspicion by those who have not the proper conception of what we call a "religious vocation." There are some persons who, in all earnestness, ask the question: Are these men and women competent to train and educate the youth of our country and make them good citizens? Let us briefly examine this question.

In doing so, we must remember that there are certain fundamental truths that cannot be ignored. Modern civilization is erected upon a religious basis, and that basis is Christian. A Christian spirit pervades our laws and customs; it moulds our public opinion; it is the inspiration of the best and noblest in our literature; it establishes our criterion of right and wrong. This Republic of ours has been signally Christian in its formation and in its development. The early settlers were earnest in their religious views. They generally acted up to the dictates of their conscience, whether it bade them be intolerant, as in Puritan New England, or tolerant, as in Catholic Maryland. Our Constitution was framed in a Christian spirit; our laws are, many of them, administered with the Decalogue in mind as the measure of action. The hate, intolerance and fierce bigotry have, in a measure, dropped from the old Puritan spirit, and it now stands forth clothed in the broad garb of Christian charity, and the better elements of that spirit rule our people.

Another fundamental truth is that, as with art, with history, with nations and peoples, there is an ideal, so has each individual his ideal. The ideal in its highest form is the development of the soul towards the perfection of the whole man. But the perfection of the whole man implies the perfection of the citizen. Now, Christianity has supplied the ideal in the person of Jesus. Every approach to the Divine Ideal is an onward and upward step in the march of humanity. And so the perfection of the soul in every virtue is also the perfection of the man, the citizen. The historian, Lecky, who recently passed away, said:

"The great characteristic of Christianity, and the great moral proof of its divinity, is that it has been the main source of the development of Europe, and that it has discharged this office, not so much by the inculcation of a system of ethics, however pure, as by the assimilating

and attractive influence of a perfect ideal. The usual progress of mankind can never cease to be distinctively and intensely Christian, as long as it consists of a gradual approximation to the character of the Christian Founder. There is, indeed, nothing more wonderful in the history of the human race than the way in which that ideal has traversed the lapse of ages, acquiring a new strength and beauty with each advance of civilization, and infusing its beneficent influence into every sphere of thought and action."

Here is a great truth, recognized by Christian and non-Christian alike.

The ideal of all mankind, indeed of all civilization, being the Christian ideal, how may it be acquired by each individual and preserved by the whole nation? Assuredly not by excluding Christian prayer, Christian dogma and Christian practices from the life of a child during a certain number of hours daily; neither is it to be acquired by reducing Christian truth to a minimum. Not in secularized schools is the Christian ideal impressed, for the image that is not seen cannot affect the eye. And when all other ideals are brought forward—Pagan ideals, literary ideals, scientific ideals, football ideals, ideals of the prize-ring, ideals of the race-course, ideals of the stock-market,—where afterwards may room be found for that all-important, all-absorbing ideal, which is the great exemplar of human life? It falls into the background: it may easily be forgotten or ignored, or brought into contempt. Nor can that ideal be impressed through the teaching of an emasculated Christianity, for such in reality is the paring down of a creed to that which is common to all denominations. The vague, the indefinite, cannot present a motive of action. The history of all religions reveals the fact that the more clear-cut is the dogma, the more accurately defined is the creed, the stronger and more efficient has been its influence upon men and nations. Then, and then only, is it a life-giving force.

It should be remembered that every principal fragment of Christian revelation is a treasure to be prized more than life itself, and the retention of even a single Christian truth, were it only the essential fundamental truth of the divinity of Christ, is an unspeakable blessing. But the faith of Catholics cannot accept Christianity in this fragmentary form. Non-Catholics who still believe in Christ are so visionary in their beliefs, and to such an extent confuse matters of faith with matters of opinion,

that they do not perceive the evil of minimizing Christian truth or separating Christian doctrines. With time they will learn that such paring away destroys all the robustness of Christianity as a living force, and ends in a complete loss of faith. But it is a cause of surprise to them that Catholics cannot allow their children to accept an education based upon what is vaguely styled "a common Christianity." They have formed an erroneous conception of the real character of the Church. At best, they look upon her as a form of Christianity, differing from the various denominations only in certain details of doctrine; this difference being simply one of degree rather than of kind. Such a view of the Church places her among the sects. It is a view that no Catholic can hold. And when we shall have known the Catholic conception of the Church of God, we will be in a position to understand the conscientious motives that impel Catholics to make sacrifices in order to have schools of their own.

The Catholic Church is not a sect. She is not merely a body of doctrines, nor a code of morality, nor an aggregate of individuals holding a common belief. Nor is she a purely human institution erected upon an inspired book. She is something more. She is a living organism, whose soul is the Holy Ghost and whose head is Jesus Christ; permanent in the midst of change; ever holding the same body of truth; ever employing the same means of sanctifying souls, and ever dispensing favors out of the treasury of grace and mercy that God has placed in her keeping for the benefit of man. What she was in the morning of human creation, she shall continue to be during all eternity. Generations are born, and grow to maturity, and decay, and vanish from the scenes of life, but the Church is not these generations. They come and go, but she remains unchanged and unchangeable, one of God's fairest and noblest creations. She is the lawfully established medium by which God holds communion with man through His Divine Son, the Word Made Flesh. In all that goes to make up her very essence and nature,—in the divine elements of that essence and nature,—she stands aloof from the mere accidents of earth and the changes of time. Her past is one with her present; her present shall be one with her future. What her teachings were in the long ago, they shall be in the farthest time to come. Her doctrines may be more clearly defined with the evolution of human thought; they may

be adjusted to the environment of intelligence, and recast in the literary and scientific language of a given period; but they are still the same doctrines that were in the deposit of faith when the Holy Ghost first breathed into the Church the breath of her supernatural life, and constituted her the greatest living organism by which man is raised to the supernatural sphere of grace.

The distinction between the divine and the human elements of the Church is ever to be borne in mind. Her children may sin grievously; scandals and abuses may prevail among those enrolled under her banner; the men into whose hands her destiny has been committed may prove themselves unworthy of their high trust; but the deepest stain upon them sullies not the Church of which they are unworthy members. She can have no part in sin or crime. Her divinity is hedged in beyond the reach of sinful man. She is incorruptible. Holy in her doctrines, holy in her sacraments, holy in the lives of those among her children who live up to her teachings, the splendor of her holiness cannot be tarnished. She is one and indivisible in her faith. He who knowingly and deliberately rejects a single article of that faith, thereby ceases to be a living member of her mystical body. She is all-embracing in her charity. She exacts from her believers neither learning nor transcendent dispositions of mind and heart. The most unlettered man or woman may be as acceptable in her communion as the possessor of the acute intellect of an Augustine, an Aquinas or a Leo XIII. She never grows old. She is a momentous fact, an ever-living presence. This faintly traced conception of the Church is that which every practical Catholic holds consciously or unconsciously. And it is in order that their children shall inherit this sacred birthright that Catholic parents, as a rule, endeavor to send their children to a Catholic school. They consider it a crying injustice to their offspring to do aught that would deprive them of this precious heritage, or endanger their losing it through ignorance or indifference.

II.

The statement is made, by well-meaning persons, that the teachings of the Catholic Church are a menace to our American institutions. Let us see. Is there anything in Catholic doctrines intrinsically opposed to the spirit and the Constitution of our country? Search the books of recognized authority. In

vain do you ransack the pages of representative Catholic writers for any doctrine or dogma that is incompatible with American institutions. The great Catholic theologians have been eloquent expounders of broad political views. St. Thomas Aquinas,—and who more representative than the Angel of the Schools?—assures us that the best constitution is where there are to be found a leader who is virtuous, and a select body of men to govern with him in equity and justice—all being selected from the people. He says:

> "The best constitution of princes, or of chiefs, in a city or in a kingdom, is where a single person is proposed according to virtue, which government appertains to all, as well because the chiefs may be elected from among the whole people, as because they are in fact elected by the whole people. This kind of government is the best, being well mixed with royalty, inasmuch as only one presides; with aristocracy, inasmuch as several govern according to virtue; and with democracy, that is to say, with the power of the people, inasmuch as the princes may be elected from among the men of the people, and that to the people it appertains to elect the princes."

Thus, in days of kingly rule, did St. Thomas lay down the principles both of a constitutional monarchy and of representative government. This is doctrine wholly in accord with our Constitution, for it makes the people the source whence the ruler or chief is to be elected, be he called "King" or "President."

No less conformable to the spirit of our legislation is St. Thomas's idea of law. An essential element of human law is that it be according to the principles of reason. He does not regard as law any ruling that agrees not with those principles. In so far as legislation deviates from right reason is it unjust; in such a case it is not law at all, but rather a species of violence. Law should not be made for private ends, but rather to subserve the common good. It is any rational ruling for the common good, promulgated by whomsoever is charged with the care of the social body. This great Schoolman draws all the legitimate conclusions from the principles he lays down. His is a logic that stops not half-way. The ruler of the government that should enact laws not in accord with reason and common sense, would truly abuse the power vested in the one or the other, and would forfeit the confidence of the people; and the people were fully justified in alienating their affections from such a ruler or such a government. He thus places sovereignty in

the hands of the people. He goes farther, and asserts that all men are in their nature and essence equal. Thus it is that the political philosophy of Aquinas is the basis of our Declaration of Independence. The principles taught by this Catholic doctor are the principles upon which our Constitution is constructed. His are the principles upon which the Fathers of the Revolution acted when they fought for liberty and justice. Now, the Catholic doctrine here glanced at is held and taught in our Catholic schools. Is there in it anything subversive of our American institutions?

But we are told that the Catholic Church is opposed to human progress. By no means. Be it known that all movement is not progress. Motion may retrograde as well as advance. Now, modern Democracy and modern Socialism are of Christian origin, and some of our most advanced Socialists have been churchmen. Of course, there is a true and a false Socialism. There is the Socialism that leads to the destruction of all law and order, and there is the Socialism that would raise men up out of poverty and misery and discontent into ease, competence and happiness. Catholic Socialism is a recognized force in these days. It seeks the amelioration of the people through religious influence; its chief aim is to combat the irreligious tendencies of the Socialism of materialism, atheism and infidelity. This latter Socialism is based upon false conceptions of man's place in this world, of his rights and duties, of labor and capital, and it increases in proportion as the religious life and the religious spirit grow weak. The two Socialisms have very little in common. True Socialism, as well as true Christianity, implies the protection and support of the weak. The Socialism that draws its principles from Darwinism is for the destruction of all but the strong. It is built upon the theory that only the fittest shall survive. There is between the two an antagonism that knows no reconciliation. In the teachings of the late lamented Leo XIII on the condition of labor and the rights and duties of the working-man, are laid down the principles of Christian Socialism. Therein are clearly defined the lines of advancement. Anarchy and Nihilism are as far removed from the teachings of Pope Leo XIII as were the sense of right and justice from the followers of the anarchist who took the life of our revered President McKinley. Catholics possess, in a measure, as by re-

flection, some of that wary, conservative spirit of the Church, who has her course ever mapped out, knowing whence she came and whither she is going, and who is not easily moved by every shifting wind of doctrine nor likely to adopt every newfangled notion. Were they a body of men who to-day might be Millerites, to-morrow Mormons, next day Christian Scientists or Dowieites, then indeed might their restlessness become a menace to the community. But, in every great issue that arises, the Catholic body is found on the side of order and true progress. Where, in any of the official pronouncements of a Baltimore Council or in any Papal utterance, may you find one iota not compatible with the spirit of progress along the lines of a wise conservatism? Well, it is in this same spirit of progress that the Church fosters Christian schools and indoctrinates her children. Why, then, should men fear the teachings of those schools?

III.

Even when it is conceded that our Catholic citizens are conservative and public-spirited, and that there is nothing in our Catholic teachings and dogmas incompatible with republican institutions, we are still told, by some people, that, in keeping our Catholic children aloof, and educating them upon other methods than those made use of in the public schools, we are placing them at a disadvantage; they lack, it is said, the true American spirit, inasmuch as they do not pass through the same mould as other American children. Thinking men have been recently testing the value of that mould, and have found in it some serious flaws. We do not propose throwing stones at that mould; we would not see it destroyed; we consider it in many respects an admirable institution. We would see it strengthened and perfected and made truly American; for we hold that the public school, as it now exists, is not an ideal American institution. One-third of the taxation that goes to the erection and support of that institution is taxation without representation, inasmuch as those paying the taxes cannot in conscience avail themselves of its advantages. Again, the public schools, in their present secularized form, are opposed to the intentions which the Fathers of the Republic had in establishing them. All the early schools had a decidedly religious cast. Strong religious sentiments permeated their reading-books; religious practices accom-

panied their class exercises; religion was in the home, in the school, in the town hall, in the very atmosphere. The Puritans were an intensely religious people; it was their strong Christian faith, though somewhat marred by their Puritanical prejudices, that built up the stanch citizens who made this country. Except where a School Board, here and there, can manage to retain a text-book that gives a good, old-fashioned fling at Papists and the Church of Rome, would these venerable fathers recognize in our secularized schools of to-day the legitimate descendants of their village, town and district schools? The truly American school should be the school broad as the American Constitution, the school in which every religious denomination would have its own teachers paid out of the tax that its members contribute. Then might every Christian boy and girl attend them, and find in them the spiritual nourishment that would make of each and all robust Christian men and women. Then would the Christian spirit, that has given solidity and force and energy to our republic, continue to make us a Christian people.

The methods of our Catholic schools are not the methods of the public schools. The Jesuits have their methods bequeathed to them from the sixteenth century, when they captured the whole civilized world by the brilliancy of their teaching; the Sisterhoods have their methods modelled after the constitution that Peter Fourier drafted for them in the last years of the same century; the Christian Brotherhoods have their methods as laid down by one of the most eminent educational geniuses of the seventeenth century, Saint John Baptist de la Salle. Now, we want the light of day let in upon these methods. We would have them perfectly understood. We would have them examined in their application and in their results. We do not fear contact with the State. We would have all our teachers hold certificates and diplomas from the State. We would rejoice to see the State Superintendent of Education visit our classes, examine our work, read our text-books, study our methods, look carefully into the results we achieve: in a word, become familiar with our work. We are not ashamed of results or of methods. We do not shirk competition. What we do emphatically object to is that so-called intelligent men should cry down our methods and sneer at our results without having ever given a fair examination to one or the other.

Wherein, then, is this system incompatible with our American spirit? Is it that we do not teach patriotism? Patriotism is not a commodity to be confined within the covers of a book. It is not a lesson to be conned by rote. It is in the very air. It permeates public opinion; it underlies our public and private actions; it dictates our public measures. It can no more be kept out of a school, when it is the inspiration of a whole people, than can the atmosphere one breathes. It may be fanned in the child's breast to a brighter glow by the rehearsal of the story of independence, of the lives of America's great men, of the deeds of valor and daring achieved upon the battle-field; by the recital of extracts from our great orators and poets; by the celebration of anniversaries and the raising of flags; but these things would avail little in a breast in which the spirit of patriotism was extinct. Now, the healthy patriotic sentiment that fills the land has not been shut out from our Catholic schools. We do not neglect the history of our independence, though we may call the attention of our Catholic youths to the share such men as Charles Carroll of Carrollton and his cousin, Archbishop Carroll, and Barry, the father of the American navy, and other Catholics, took in the struggle. While we trace the wonderful growth of our country in wealth and prosperity, we do not fail to make our children familiar with the no less wonderful progress of Catholicity in this land of liberty; while we omit no name that has honored America in the world of letters, we do not forget to mention those who, being Catholics, are ignored or inadequately treated in text-books coming from non-Catholic pens. We have actually been censured for this, and our school-books have been called un-American. Is the accusation in any sense a fair one? Surely, the censure is far more un-American than the act censured, for the essence of our American spirit is a sense of honesty and fair play.

And for this reason it will not be regarded as a fault of our system if we teach history from our own point of view. Once we were accused of falsifying history when treating of the great religious upheavals of the past; but there is not a statement in our Catholic books that cannot be confirmed by a non-Catholic authority of weight as a scholar. We hold with Carlyle that "the first of all gospels is that no lie shall live," and so we cannot always accept either the statement of fact or the con-

clusions of our non-Catholic historians. We hold that our Catholic historians ought to be the best judges of all matters pertaining to the Catholic Church, just as the members of a family should be best acquainted with the inner workings and purposes of the family in all its actions. For this reason, we positively decline to accept most versions of history that are prepared for our public-school children.

Finally, it is objected that this exclusiveness of our Catholic schools prevents our Catholic children from being moulded after the typical pattern of the American child. Then that is equally true of every private school in the land containing the children of the élite. Every objection applying to us would with equal force apply to them. There is a difference in the type of boy or girl turned out by a Catholic school and a public school. The public-school child is more self-reliant; he has more assurance; he never doubts his ability to do anything he undertakes: the Catholic school child is diffident of his powers, underestimates himself and requires encouragement to put forth his whole strength. This is especially true of the child of Irish descent. Is this modesty and diffidence a great defect? It may handicap one at the start; but, with practice in any trade or profession, with the constant incumbency of putting forth all one's energy to hold one's own in the struggle for place and wealth, the modesty and diffidence soon cease to be a source of weakness. In all other respects, an analysis of the objections vanishes into thin air. It is a mere cant phrase. There is no moulding, there is no fusion. Children that sit on the same bench in school in after-life may never meet. Each may belong to a different circle. But the child who has a religious education, and who lives up to the precepts of his training, need not regret it. He is no stranger; he is at home in a Christian republic safely guarded by Christian laws, animated by Christian sentiments and holden by a Christian standard of truth and morality.

JOHN F. MULLANY.

CANADA AND THE JOINT HIGH COMMISSION.

BY LAWRENCE J. BURPEE.

THE Joint High Commission, called together to deal with certain matters in dispute between the United States and Canada, has now been in a state of suspended animation for seven years. Is that state to become chronic; or is there any reasonable probability of the Commission's being reconvened in the near future? There have been rumors of an awakening from time to time; and recently these rumors have become so persistent as to give rise to a widespread impression that the reassembling of the Joint High Commission is at last within measurable distance.

It would be folly to make any prediction in such a matter. Nothing is quite so fickle as international relations. The thing that seems altogether probable to-day, may to-morrow be thrust into the dark realm of impossibilities. Ignoring, however, the chances of the future, the occasion may not be inopportune for a discussion of the subject, in the light of existing circumstances, and from the point of view of a Canadian onlooker.

To make clear the present attitude of Canada—as the writer sees it—it is necessary to review briefly the history of the Joint High Commission. Although it sat such a comparatively short time ago, events of more than ordinary importance have crowded thickly upon the pages of British and American history in the interval; both countries have gone through the stress and turmoil of war, with all its tendency to obliterate independent surrounding events. One may safely say that ninety-nine out of any hundred persons in the United States and Canada have long since forgotten the circumstances which gave rise to the Joint High Commission, the subjects it dealt with, and why it adjourned indefinitely without achieving any tangible results.

The Joint High Commission—or the International Commission, as it has sometimes been called—grew naturally out of the negotiations for the settlement of the Bering Sea Question.

It may be remembered that, following the Paris Award, a great deal of diplomatic correspondence took place between the United States and British authorities, with reference to pelagic sealing. Nothing of much consequence came of this, as the views of the American and British governments were hopelessly at variance on the subject. However, in 1897, a conference was arranged of British and American experts, to report on the condition of the fur-seal herd frequenting the Pribilov Islands; and the report submitted was afterwards considered at a meeting of United States, British and Canadian representatives, who also took occasion to discuss the broader questions involved in the Bering Sea matter.

Although the conference was of a more or less tentative nature, and the proceedings were never made public, it appeared from semi-official statements in the press, and from subsequent correspondence between Mr. Foster, the United States Seal Commissioner, and Sir Wilfrid Laurier, that during the conference a suggestion was made by the Canadian representatives that it would be desirable to settle not merely the Bering Sea Question, but all matters in dispute between the two countries.

After some discussion, Mr. Foster made the following proposal:

"First. That the Governments of Great Britain and the United States agree at once to a *modus vivendi*, providing for a complete suspension of the killing of seals in all the waters of the Pacific Ocean and Bering Sea, for one year from December 31, 1897, and for suspension of all killing of seals on the Pribilov Islands for the same period.

"Second. That the British Ambassador and one or more representatives of the Canadian government, on the one part, and such representative or representatives as may be designated by the President of the United States, on the other part, shall, with as little delay as possible, take up for consideration, with a view to settlement by means of treaty stipulations, the fur-seal question, the protection of fish in the waters of rivers and lakes contiguous to the United States and Canada, the subject of reciprocal emigration, commercial reciprocity, or any other unsettled question between the United States and Canada, which either of the Governments may see proper to bring forward."

The second proposition was perfectly satisfactory to the Canadian representatives, but the first was not; and, as the second

was made contingent on and subject to the first, an agreement seemed to be as far off as ever.

The views of the United States Government were succinctly stated in a letter from Mr. Foster to Sir Wilfrid Laurier, on December 2nd, 1897:

"Our view (is) that pelagic sealing ought to be voluntarily given up, because it is unneighborly in that it is destroying a valuable industry of our government, and inhumane because it is exterminating a noble race of animals useful to the world.

"When it is proposed to negotiate for the surrender of the legal right of pelagic sealing, we are told that this cannot be brought about by a fair compensation to those engaged in the industry, but that the question must be included with a number of other subjects having no relation to it whatever, and that it must await the fate of all these matters, some of which, as commercial reciprocity and the tariff, are very complex in their character, and others, as the northeastern sea fisheries, of long standing and very difficult of adjustment.

"Notwithstanding, the President feels that the subject of the proper protection of the seals should not be complicated with other questions of intricate public policy and conflicting interests, in his earnest desire to promote a more friendly state of relations between the two neighboring countries, he has consented that all those questions should be embraced in one series of negotiations, if meanwhile a *modus vivendi* could be agreed upon which would save the seals from destruction while the negotiations were in progress."

Both the British and Canadian authorities took issue with Mr. Foster as to the vital necessity of an immediate suspension of pelagic sealing, basing their opinion upon the reports of British scientific experts; and, after a lengthy diplomatic correspondence, the demand for a *modus vivendi* was apparently dropped by the United States, and an international commission agreed to unconditionally.

The Joint High Commission met at Quebec in August, 1898, the British side of the Commission consisting of Lord Herschell, for the Mother Country, Sir Wilfrid Laurier, Sir Richard Cartwright, Sir Louis Davies and Mr. John Charlton for Canada, and Sir James S. Winter for Newfoundland; while the United States was represented by Senator Fairbanks, the Hon. George Grey, John W. Foster, Nelson Dingley, John A. Kasson and T. Jefferson Coolidge. Lord Herschell was made chairman of the Commission, which sat for a time in Quebec, and in October adjourned to Washington. The meetings were continued there up

to February 20th, 1899, when the Commission again adjourned, nominally to meet in August of the same year, but in reality for an indefinite period.

As the Joint High Commission was never formally closed, and as no final agreement or conclusion was reached by it upon any of the subjects dealt with, no official statement was ever made public. In one way or another, however, it became known that the questions considered by the Commissioners were substantially as follows: The Bering Sea seal fisheries; the subject of reciprocal trade relations; the Alaskan boundary; the Atlantic fisheries; the bonding privilege; preservation of fish in contiguous waters; construction and maintenance of war-vessels on the Great Lakes; alien labor legislation; wrecking laws; conveyance of prisoners through territory of each country; and, perhaps, one or two other minor matters.

When the question of the Joint High Commission had first been mooted, the Bering Sea seal fisheries seemed to be the chief bone of contention, the United States very naturally desiring to dispose of it without regard to the other questions at issue between the two countries, and Canada as naturally preferring to make it part and parcel of the general agreement. At this stage of the proceedings the Alaskan boundary does not appear to have been even thought of. At any rate, it is not mentioned either in Mr. Foster's memorandum or in Sir Wilfrid Laurier's reply.

After the Commission had been convened, however, the Alaskan Boundary question forged rapidly to the front, and finally became the most serious issue with which the Commissioners had to deal. Both sides were anxious to get it out of the way, but they could not agree upon the method. Various forms of arbitration were suggested and discussed, but without avail. What was satisfactory to the British side did not meet the views of the American Commissioners, and *vice versa*. As the Canadians were strongly of the opinion that all matters in dispute should stand or fall together, the Joint High Commission broke up without having accomplished anything tangible.

Nevertheless, the Commissioners got pretty close to a settlement of several of the questions at issue; so much so that, when the Alaskan boundary was finally referred to a special commission, early in 1903, Senator Fairbanks at once suggested to Sir Wilfrid Laurier the desirability of reassembling the Joint High Commis-

sion, and settling the other questions that still remained outstanding. "The progress," he wrote, "we had made in the consideration of the subjects of the protocol at the date of our adjournment gives warrant for the hope that we can determine many if not all of them."

In Sir Wilfrid Laurier's reply, written in February, 1903, there is this significant passage, which may be taken to represent the present official Canadian view of the situation:

"I think it would be unadvisable to have the Commission meet officially, unless we are pretty sure in advance of being able to come to some conclusion on some important points. If you will permit me a suggestion; as soon as our Parliament has been prorogued, I will take an opportunity of asking you for a private interview, when we could survey the ground again and fix a date for the Commission to meet."

Mr. Fielding, the Canadian Minister of Finance, referring to this correspondence in the course of his speech on the Budget in the House of Commons—dealing particularly with trade relations, though his remarks applied equally to all outstanding questions between the two countries—thus interpreted Sir Wilfrid Laurier's letter:

"Unless a preliminary discussion gives us some reasonable hope that the outcome of another meeting will be fairly satisfactory, there will be no desire on the part of this government to have the High Commission resume its sittings.

"But, while we could not again approach our American friends with a request for reciprocity, yet, if they are disposed, in the light of recent events, to take a more liberal view of the trade relations between the two countries, and manifest a desire to have the High Commission reconvene for the purpose of trying in good faith to bring about a better state of affairs in this respect, it is due to them, as well as to our own self-respect, that we should meet them in a fair and generous spirit, and join in any reasonable effort to bring about such readjustment of the relations between Canada and the United States as will be honorable to both countries and advantageous to the interests of the people."

This was the official Canadian view in the spring of 1903; and, judging from subsequent utterances of members of the Dominion Government, in and out of Parliament, the situation remains practically unchanged. Apparently, it has not yet been found possible to arrange even the informal discussion which Sir Wilfrid Laurier and Mr. Fielding thought essential as a preliminary to the reopening of the Joint High Commission.

So far as the general Canadian public are concerned, it is, I think, correct to say that they are not now keenly interested in the resumption of negotiations. There are, of course, here as in the United States, conflicting interests, especially as regards trade relations. Broadly speaking, Western Canada and the Maritime Provinces are inclined to favor closer trade relations with the United States, while Ontario and Quebec tend the other way. But, on the whole, the Canadian people, while not exactly satisfied with the *status quo,* are not at all sure that an international commission would succeed in bettering matters.

The rapid development of the country, since the last meeting of the Joint High Commission, has contributed very materially to this state of public opinion. The young Dominion has been gaining self-confidence during the last few years, and no longer feels dependent upon her big neighbor in any sense. She has crossed the threshold of an era of extraordinary prosperity; settlers are pouring into the West; the vast natural resources of the country are at last beginning to be seriously developed; new industries are springing up on every side; and the aggregate trade and revenue returns bulk larger every year.

At the same time, the United States market has been steadily decreasing in importance, so far as Canadian exports are concerned; while, on the other hand, Great Britain has as steadily increased her annual purchases from Canada; and new markets are constantly being opened up, in Europe, South America, the West Indies, Mexico, South Africa, Australasia and Japan.

What, after all, has Canada to gain from a reassembling of the Joint High Commission?

There is, of course, the somewhat ancient and threadbare plea of a better understanding with the United States; but, frankly, Canadians have learned to look with a certain amount of suspicion at this argument, which has done duty at the negotiation of every British-American treaty from 1783 down, Canadian territorial or other interests being time and again sacrificed by well-meaning British diplomats upon the altar of American friendship. Mr. Foster's eloquent appeal to Canada to do the neighborly thing in the matter of pelagic sealing is not new. It carries one back to similar appeals put forward by Mr. Fish in 1871, by Daniel Webster in 1842, and by Benjamin Franklin in 1783. Such appeals had been wonderfully successful in the past;

but they fell upon more sympathetic and less critical ears than those of Sir Wilfrid Laurier.

Putting aside, then, this purely sentimental consideration, let us see what, from a practical point of view, Canada might reasonably hope to gain as a result of the deliberations of the Joint High Commission.

The questions demanding settlement might be expected to fall into three more or less distinct classes, *i. e.*: those in which a settlement would be of primary advantage to the United States; those whose settlement would be chiefly of advantage to Canada; and those in which the interests of both countries were involved, and might be met by a reciprocal agreement.

Taking, then, *seriatim*, the several matters with which the Joint High Commission would be required to deal, let us see how they fall into these three classes.

The Alaska boundary question is already disposed of—let us hope, forever. The question of the preservation of fish in contiguous inland waters, having been referred to a special international commission, is also out of the way. There remain the Bering Sea question; the bonding privilege; the Atlantic fisheries; alien labor legislation; war-ships on the Great Lakes; trade reciprocity; and two or three minor matters.

The Bering Sea seal fisheries, or, to be more explicit, the question of pelagic sealing, drops obviously into the first class. The United States is anxious that pelagic sealing—a legitimate and valuable Canadian industry—should be abolished, as it is believed, to quote the words of Mr. Foster, to be "destroying a valuable industry of our government." Here, then, is a matter in which the settlement asked for would be to the sole advantage of the United States. Canada would naturally require a *quid pro quo* in some other direction.

Take, then, the bonding privilege. That is a privilege that is popularly supposed, not only in the United States, but in Canada as well, to be solely to the advantage of Canada. That, of course, is not the case. While Canada undoubtedly derives a substantial advantage from the bonding privilege, the United States is equally the gainer. By reason of this privilege, the Canadian Pacific Railway is enabled to carry goods from Montreal, by the short line through Maine, to St. John, N. B., without payment of duty; and the Grand Trunk carries Canadian goods in bond to

Portland for shipment to Europe.* The Canadian Northern enjoys a similar privilege in the west, where it cuts through the extreme corner of Minnesota.

On the other hand, any one who has travelled through the southeastern portion of Ontario, which cuts down like a wedge into the United States, just as Maine is thrust north into Canada, must have noticed the long, heavy trains taking the short route across the Niagara peninsula, from Chicago and other western American points to the Eastern States.

The bonding privilege applies also to foreign goods consigned to Canadian firms and shipped *viâ* New York or other American ports; as well as to goods consigned to United States firms and shipped *viâ* Canadian ports.

The Atlantic fisheries question belongs, without doubt, to the first class. The concessions asked for are all for the direct benefit of the United States, and anything designed as a return to Canada for fishing privileges in Canadian waters would have to be drawn from some other quarter.

Alien labor legislation is obviously a matter for reciprocal action. There can hardly be any question that the abandonment of such irritating and profitless legislation, and the freedom to Americans and Canadians alike to cross the international boundary at will, would be equally advantageous to both countries.

The privilege of building and maintaining, or merely building, war-ships on the Great Lakes, is a concession desired only by the United States, and is altogether to the disadvantage of Canada. It is hard to see how any concession on the part of the United States could compensate Canada for the constant menace of hostile war-ships, ready at any moment to strike her in her most vital and at the same time most vulnerable part.

There still remains what may be regarded as the *pièce de résistance* of the international banquet—reciprocity. Can it be seriously maintained that Canada is solely interested in a treaty of reciprocity with the United States? Hardly, from any point of view. Indeed, if one may judge from the present attitudes of

* Special stress has been laid upon the value of the privilege accorded Canada in respect of the Grand Trunk. While its value to Canada is unquestionable, it is well to remember that the Grand Trunk is of peculiar importance to Maine, as a check upon the monopolistic tendencies of the other roads that enter the State—a fact which the people of Maine thoroughly appreciate.

the two countries toward the question, it would seem clear that Americans are more deeply interested in the negotiation of such a treaty than Canadians. It is altogether probable that, if a plebiscite could be taken of the entire population from the Gulf of Mexico to Dawson City, the result would reveal a surprising indifference on the part of the majority of the two peoples to the whole question of reciprocal trade relations. There are, however, interests arrayed strongly for and against such a policy in both countries; but, while the favorable interests in the United States are widespread and influential, in Canada they are not anything like so important, or so aggressive.

There was a time, and it is not so very long ago, when the very reverse was the case. The active desire for reciprocity was then all on the Canadian side of the boundary, while it was the American who was coy and hard to please. With the one solitary exception of the Reciprocity Treaty of 1854, Canada's friendly overtures have almost invariably been met with rebuffs, more or less courteous, at Washington.

In the light of the words of Henry Clay, in 1826, that "the Government of the United States has always been anxious that the trade between them and the British North-American Colonies should be placed on a liberal and equitable basis," and that "there has not been a moment since the adoption of the present Constitution when they were not willing to apply to it the principles of a fair reciprocity and equal competition," the interminable record of American rejection of Canadian offers seems extraordinary. Is it to be wondered at that Canada's patience broke down at last, and that, when Sir Wilfrid Laurier made the curt announcement that the Dominion would sue no more at Washington for reciprocity, his statement was received with a chorus of approval from one end of the country to the other?

At the same time, neither Sir Wilfrid Laurier nor any of his fellow countrymen is so short-sighted as to ignore the advantages of an equitable treaty of reciprocity with the United States. The desire for reciprocity in Canada, in the past, has been confined to neither of the great political parties, and it is still certain that a measure of freer trade would be acceptable to the great majority of Canadians.

It is, of course, clear to every intelligent student of present-day problems that, so far as Canada and the United States are

concerned, the only possible measure of reciprocity is one confined to natural products, or, at the outside, to natural products and certain reductions in a limited list of manufactured products. Unrestricted reciprocity, once the accepted policy of a great political party in Canada, is no longer seriously considered. The Canadian attitude on this point was clearly and unequivocally stated by Sir Wilfrid Laurier in a letter to Mr. Wharton Barker in October, 1903.* From all indications, too, unrestricted reciprocity would be quite as unacceptable to the United States today as to Canada.

Let us see, then, on this basis of a limited reciprocity, what Canada has to offer the United States in return for a limited Canadian access to the United States market.

First of all, however, we must dispose of an argument that has been advanced time and again by American writers and public men, that the United States market of seventy-five millions (or as the case may have been) is of very much greater advantage to Canada than the Dominion market of five and a half millions can possibly be to the United States; in the same proportion, in fact, as the United States population bears to that of Canada. This traditional argument of the opponents of reciprocity (which we find current as far back as 1850, in President Taylor's message to Congress relative to the trade treaty then proposed) is a plausible theory which will not bear careful examination.

Many conditions, natural and artificial (the disproportion between the average United States and Canadian duties being, of course, an important factor),† combine to nullify the force of the argument so far as these countries are concerned; and, as a matter of fact, the balance of trade is now, and has been for many years past, entirely in favor of the United States; as much so, in fact, as the balance of trade between Canada and Great Britain is in favor of Canada.

The following figures, compiled from the latest official returns, bear eloquent testimony to the fact that Canada is one of the best customers the United States has, the world over.

* See NORTH AMERICAN REVIEW, March, 1904.

† The Canadian duties upon total imports from the United States average 12.05 per cent., and upon dutiable imports from the United States, 24.83 per cent.; while the United States duties upon total imports from Canada average 28 per cent., and upon dutiable imports, 50 per cent. In either case, the United States duties are twice as high as the Canadian.

During the fiscal year ending 30th June, 1904, the value of United States exports to Canada amounted—according to the Canadian returns—to $143,000,000 (for home consumption, and exclusive of coin and bullion). The United States figures are, for some reason, considerably lower, $131,000,000. During the same period, the United States exported to all the other countries of North and South America, including Cuba and the West Indies, a total of $126,000,000. To France, her total exports amounted to $85,000,000; to Italy, $35,700,000; to Russia, $19,000,000; to Holland, $72,000,000; to Belgium, $40,800,000; to Japan, $24,900,000; to Australia, $27,000,000. The United States exports to Canada exceeded those to any other individual country in the world, with the two exceptions of Great Britain and Germany. She sold to Canada more than she sold to France, Italy and Russia combined; and, if you accept the Canadian returns, the Canadian market was worth as much to her as the combined markets of France, Russia, Denmark, Austro-Hungary, Spain and Portugal. It may be worth while to note in passing that the combined markets of the British Empire are worth to the United States $50,000,000 more than all the other markets of the world.

If in 1904 the Canadian market was so vitally important as a factor in the export trade of the United States, as the above figures show, is it not reasonable to assume that, as the years go by, the importance of that market will be steadily accentuated. Canada is growing rapidly and steadily. There is nothing unhealthy or unstable about this growth. It has behind it boundless resources, ample capital, and an energetic, self-reliant and ambitious people, who are year by year being recruited from the best classes of American, British and North European immigrants. The *per capita* wealth of the country is already the largest in the world. Poverty is almost unknown. There are to-day $500,000,000 of the people's savings in the government and chartered banks of the Dominion. It is clear, then, that Canada is a customer to whom the United States could well afford to offer generous inducements for a broadening of existing trade relations.

Take, then, the other side of the picture. What has the United States market been worth to Canada? For the same period, ending June 30th, 1904, the total exports of Canadian produce to the United States amounted to $66,800,000. The figures have been

practically at a standstill for the last four years. The balance of trade in favor of the United States, according to the Canadian returns, amounted therefore to $76,000,000.

During the same period the value of Canadian exports to Great Britain was $110,000,000. The marked contrast between the value to Canada of the British and American markets is most strikingly shown when we compare the figures for products of the farm, including animals and their produce and agricultural products. The total figures for these in 1904, to Great Britain, were $85,000,000; during the same period, to the United States, they amounted to just $8,000,000.

In spite of the preference of thirty-three and a third per cent. granted by Canada to British goods entering the Dominion market, an examination of the statistical returns reveals the startling fact that Canada collected in 1904 $10,800,000 duty on $61,700,000 worth of British goods; while during the same period she collected $19,500,000 duty on $143,000,000 worth of United States goods. The average *ad valorem* rate of duty in the case of the United States goods was a trifle over 13.50 per cent., while on British goods it amounted to 17.50 per cent.

The explanation of this apparent anomaly is simple. Of the total imports from Great Britain, only $16,700,000 were on the free list, or 25 per cent.; while, of the imports from the United States, $65,400,000, or $4,000,000 in excess of the total British imports, were free—45 per cent! And, if we compare the free imports from Great Britain and the United States respectively with the total free imports into Canada, the result is still more striking. Great Britain got the benefit of only 17.73 per cent. of the total free list, while the United States absorbed 69.14 per cent.

Is it reasonable to suppose that Canada will rest content with this most unequal distribution of duties? At present, it does not suit the policy of the Dominion Government to make any material change in the tariff; but it would not be wise to assume that this attitude will necessarily be maintained after the tariff commission, which has just been appointed to examine the whole question of Canadian trade, has made its report. The United States would, doubtless, secure better terms by coming forward with a generous offer of reciprocity before, rather than after, this report has been made and considered; but such an offer, to be acceptable to Can-

ada would have to be based on a much more equitable distribution of duties than at present exists between the two countries.

On the whole, it may be said that the people of Canada are willing, indeed anxious, to remove all causes of irritation between the Dominion and the United States, and to bring the two countries into as close a relationship as would be consistent with Canadian independence and loyalty to the British Empire. They would gladly promote the removal of restrictions on trade, so far as that may be done with due regard to the legitimate interests of their own country. They would welcome the reassembling of the Joint High Commission, provided there appeared substantial grounds for believing that the deliberations of the Commissioners would result in a treaty mutually satisfactory to the two countries, and one that would have a fair chance of ratification by the United States Senate; but they are extremely anxious to avoid another abortive meeting, with all its aftermath of irritation and international ill-will.

So far as the trade question is concerned—and that, after all, is the great question at issue,—it is possible, or even probable, that better and more lasting results might be attained by means of simultaneous tariff legislation, than by the cumbersome and uncertain machinery of an international commission. We have had ample proof in the past of the difficulties that beset the path of international commissions, no matter how broad-minded and well-intentioned the commissioners may be; and one need not emphasize the fact that it is easier for a camel to pass through a needle's eye than for an intricate commercial treaty to pass the United States Senate.

If the American and Canadian governments were to address themselves seriously—and in that spirit of fairness and liberality which Henry Clay so happily expressed—to the attainment of a reasonable measure of reciprocity—preparing the way, perhaps, by informal discussions between representatives of the two countries,—there is no reason to doubt that the Canadian and American tariffs might be gradually adjusted so as to meet equitably the broad needs of both countries, without doing any serious damage to the legitimate interests of either.

LAWRENCE J. BURPEE.

LORD CURZON: HIS RESIGNATION AND RECORD.

BY ANGLO-INDIAN.

THE public have taken some vague interest in a fierce controversy which has been raging in India. For the most part, they have an idea that Lord Kitchener, the great soldier, has been impeded by a lesser soldier, known as the Military Member, and they regard Lord Kitchener's victory as a fine defeat of the forces of red-tape and obstruction. Few have grasped the real point. The fight is not between Lord Kitchener and the Military Member of the Viceroy's Council. It is a desperate and vital conflict of principles. On the one side is the soldier who is no statesman; on the other, the statesman who, though no soldier, is a student of history and constitutional law. The one clamors for military efficiency, regardless of political cost. The other sees the huge danger to India and to the Empire of unbridled militarism.

There is an uneasy feeling among all sections of the 300 millions of India that the action of the British Government portends no good to India. It is not a mere reconstitution of the functions of the Viceroy's Councillors, a mere shifting of certain duties from the Military Member to the Commander-in-Chief. Lord Curzon has a genius for reconstitution, and would have brought out a workable scheme in a week. In his keen anxiety for efficiency and economy he would be no party to friction and waste of energy, and would never have tolerated the spectacle of a Commander-in-Chief being thwarted and hampered by a Military Member. His power of coordination, and his enormous success in working his Cabinet, are commonplaces in India; but, in the mandate, prompted by Lord Kitchener and issued by the Home Government, there was something which no

skill could reconcile with the position of the Viceroy and the Government of India. That something is military autocracy. In his last telegram to the Secretary of State, Lord Curzon says: "When I left England, His Majesty's Government were fully aware that I disagreed wholly with proposals to change our military administration, and it was with that knowledge in their possession that I was permitted to return." Not only Lord Curzon, but all his colleagues—men of long and distinguished records—disagreed wholly with the proposals. Without any wish to be invidious, it may be said that those who understand the rudiments of Eastern polity, or who care greatly for the permanence of British rule in India, value the opinions of men like Sir Denzil Ibbetson on any Indian question—including the question of the political status of the Indian army—more highly than the immature and impressionist views of the Commander-in-Chief. A Commander-in-Chief who could seriously suggest that there should be native Field Batteries is hardly calculated to inspire much confidence in the minds of those who are anxiously watching the ever-anxious work of Indian administration.

It is useless, however, to discuss the decision of the Home Government. In the eyes of the Indians it has undoubtedly humbled and weakened, not only the Viceroy and his Government, but the Provincial Governments as well. It has exalted the Commander-in-Chief; and, much as he may deprecate the fact and modestly put aside Cæsar's crown, it has constituted him a military autocrat. A strong Viceroy may come again, whose personal influence may temper the force of the autocracy; but, as matters stand at present, there is a second King in Brentford, and the Indians have learned that the King's representative—the man they had admired, respected and feared for so many years—is, after all, the very subordinate servant of the strenuous Home Government which knows its own mind. They learn too that, unless the Viceroy is subordinate, and prepared to subordinate the interests of India to those of the Empire, he will not survive. For, after all, what are all this pother and controversy about? Has all this correspondence, so dangerous and indecorous, passed in order to rescue Lord Kitchener from the indignity of having his schemes commented on by officers under the rank of Lieutenant-General? There is something, surely, more serious than this. Is it to secure the defence of

India? Well, there are those—competent and experienced men—who could prove that the old system was equal to any demand which the requirements of India could make. It is obvious that the necessities of the defence of the Empire have dictated this great change, or rather this entire destruction of existing administration, for there has been no real construction. India, under the ægis of Lord Kitchener, is destined to fight the battles from which the British conscript shrinks. It is an Imperial idea, but it is the Imperialism of a decadent democracy. Lord Curzon, who knows well the secrets of Indian finance, and knows well and sympathizes with the crying needs of Indian administration, sees how the revenues will be spent; he sees the money required for education, irrigation, railways, and police clutched by a confident Commander-in-chief. He does well to resign. He would have been wiser if he had never returned to India in November last, and those who urged him to rest on his laurels might have quoted Horace's lines—

> *"Atqui sciebat quae sibi barbarus*
> *Tortor pararet."*

It would have been wise and, indeed, kind if the Home Government had not sent him, for it is a pity to humiliate a great and devoted Englishman, and a danger to publish to the Indian world—curious and quick to draw inferences—a correspondence which will unsettle authority, encourage intrigue and dishearten loyalty. India is changing very fast, but it is still the continent of custom. The Military Department was a good old custom, and the five years' tenure of office by the Viceroy was another. It was a mistake to alter either. But if the Home Government had adhered to the latter, some change in the former might have come without those convulsions. An ordinary Viceroy new to office might have been more complaisant than Lord Curzon.

But Lord Curzon is not an ordinary Viceroy. He is a very extraordinary Viceroy, and a brief sketch of his leading measures may be of interest. It is no exaggeration to say that, if a Viceroy is willing and able, he can wield a power unknown in any other part of the world. Lord Curzon was able, and he greatly desired to leave India better than he found it. He toiled hard, and to a magnificent industry he brought wonderful powers of system and practical method. Men who have been brought into

contact with him, officials, men of business, foreign travellers, Indian Chiefs and Indian commoners, have come away impressed with the man, his grasp, his knowledge and his power. And the experience of Lord Curzon's first term of office is that his reach was not above his grasp. He was a very Titan, undaunted, and brimming over with energy and pride in his work and position. Five short years were all too brief a time for the business he had in hand. He knew that, when once he set out on the sea of reform, the voyage would be long, and perhaps stormy, and that there would be no putting back to port. He had prepared himself by intense application, by travel and by reading; and every man who knew anything about the East was made to stand and deliver. From the moment when he took charge of his great office, to the day he submitted his resignation, he has been acquiring information, weighing, sifting, and tabulating; and, as each reform came up for final treatment, he had ready to hand all the facts that were essential. He knew his facts, and was never caught tripping by those who were watching him closely and jealously. He believed in the policy of taking the public into his confidence, and despised the official pose of reticent superiority. He liked to give reasons for the most trivial orders. The smallest and humblest Indian with a grievance—and the most humble had access to this untiring Viceroy—was told why it was impossible to grant him relief. Unconsciously, perhaps, he was following the lines of the great Mogul Emperors. He knew that the Indians can only understand and appreciate personal rule. Councils, Constitutions, Parliaments confuse their simple minds. They recognize Kingship and the delegated authority of a Viceroy; and it is necessary for the vitality of Government that the Viceroy should be a living, moving spirit. Lord Curzon certainly lived and moved. He penetrated to distant parts of the Indian Empire which had never been visited by Viceroys; he surprised clerks in their offices, and chiefs in their palaces; he explored mines and plantations; and, while entering with generous enthusiasm and sympathy into every human activity of modern India, political, commercial or religious, he did not neglect to pay homage to the illustrious past. His conservation of ancient monuments would have been enough to tax the energies of most Viceroys, but it was only one among the many other outside subjects to which Lord Curzon devoted his best and

unflagging energies. But, above all, he plunged into the miseries of the famine districts, and laboriously inspected the hopeless camps, where men were dying of plague, despite the best efforts of the best skill available in India.

It may be hoped that other Viceroys as able and as industrious as Lord Curzon will devote their lives to the service of India, but it may be doubted whether any Viceroy of the future will impress his personality on the people to the same degree. His name is known in the most remote villages—away on the further frontiers of the Northwest, away down South in peaceful Travancore; Manipur talks of him, and the wild tribes of Assam will not forget him. He has been ubiquitous, and his distant tours have had abiding effects. His critics have scoffed at his activities, and have accused him of theatrical display, but they should remember that none of his activities has been purposeless or desultory, and that, if he was always Viceroy and never bated one particle of the prerogatives and pomps of his high position, he was in the right. A Viceroy of India, while he is in India and in public, can never afford to assume the rôle of a plain English nobleman. He is always on duty and always in full-dress. It would be easier and less wearing to throw off the heavy robes and to be as others are, but Lord Curzon never thought of his own ease. He was appointed to be Viceroy. He had his conceptions of Viceregal duty, and no criticism ever induced him to swerve from it. To those who lived for duty and had an enthusiasm for India he was the best and most kindly of friends. To the indifferent, the lazy and, above all, to those who by their actions besmirched the high name of Englishman he was a severe and an implacable foe. He leaves India almost worshipped by a few, admired by many and respected by all; but his life has been too strenuous and downright to have won for him the dubious guerdon of popularity. But, in the best sense of the term, his popularity will increase from the day on which he leaves India. His lot has been hard, and bad luck has dogged him in the shape of famine, plague and earthquake, but he has achieved much. He has strengthened the foundations of England's noblest possession, and, if his successors bring with them a fraction of Lord Curzon's devotion, self-sacrifice and righteousness, there need be no fear as to the permanence of British rule, and the real prosperity and progress of India.

When elderly noblemen are appointed to be Governors-General of India they will usually call at the India Office, and descant on the wisdom and experience of the Secretary of State and his twelve mature Councillors. If these latter happen to be in, they will tell the Viceroy designate, not what he should do, but what he should avoid. He should avoid in India all religious or social questions; he should steer clear of anything that will bring up the racial problem; and, if he is wise, he will not rouse such sleeping dogs as education, police, the Berar question, and Native States generally. The policy inculcated on the good and normal proconsul is negative; but in Lord Curzon they had chanced on a very positive person. He has been careful not to touch social customs which are a part of the lives and the religions of the Indians, though many of his measures are destined to work changes in the social condition of the people. On the contrary, he evinced, by his action in mitigating the severity of the plague regulations, his sympathy for the customs of the people. He respected their bed-rock sentiment, and secured them in the privacy of their homes.

He did arouse the racial feeling, but he did it in a noble cause; and, when Lord Curzon's administration of India is worthily recorded, Englishmen and Americans will applaud the steadfast Viceroy who brought to justice evil-doers, despite their color and nationality. If ever a man has suffered for righteousness it is Lord Curzon, and in his efforts to be absolutely fair to the Indian and the British in India he has met, without quailing, invective and abuse from both. It is hard for one in the solitary, isolated position of a Viceroy to be disliked, and noisily disliked, and most men would have paused before taking a line which was certain to estrange the greater proportion of the Europeans in India, but Lord Curzon saw his duty, and went for it.

Education is an awkward question for statesmen in England. It is even more awkward in India, when the reformer is no opportunist, but a man with a mission, and most thoroughly in earnest. It is impossible in this article even to summarize the educational problems of India. For some seventy years, since the time of Lord Macaulay, efforts have been made to educate a small proportion of the people. The results are poor in quantity, and still poorer in quality. Want of money accounts for the lack in quantity; examinations run mad partly account for the

defect in quality. In a vast continent like India there are, of course, splendid and encouraging examples of great and noble Indians who have risen superior to a bad system, and there are, happily, numerous instances of excellent results achieved by the influence of high-minded, courageous officials of the Educational Department, and of the devoted missionaries who are found in every part of India. There are many Indians of attainments and character who compare favorably with the best products of Western Universities. But they do not owe their excellence to the old educational system of India. It is precisely these men who are essential to our administration, for, in spite of the clamor of "India for the Indians," India is in reality administered by Indians under the supervision of a handful of Europeans. The people who have chiefly come under the influence of the faulty system of the last century are the inhabitants of Calcutta, Madras and Bombay; and the Bengalis of Calcutta greatly resented the innovations of a Viceroy steeped in traditions of Eton and Oxford. It is only natural that they should object. They were first in the field of education, such as it was, and education meant employment in the service of Government. The older men refused to believe that they had been educated on wrong lines, while the students saw in Lord Curzon's crusade a diminution of their loaves and fishes. So, when the celebrated resolution on education was published, reforming the governing bodies of the Universities, prescribing strict and regular inspection of colleges, and enjoining some measure of residence and a large measure of discipline, there was a howl of indignation, and Calcutta rocked with the noise and cries of the bereaved Bengalis. But the change has been made, and future generations of Indians, statesmen, lawyers, scientists and men of letters, will live to bless the daring Viceroy who lifted education out of the old clogging grooves, and showed them a path which will lead India to the highlands of the intellectual world. His opponents call him reactionary. The future will show. If reaction from the point of view of the Indians means the arrest of progress, then Lord Curzon is no reactionary. The ruler who wants India for the English would have left the Indian Universities to their fate, to be the laughing-stock of the earth, and would have paused before he embarked on a lavish expenditure on primary education. Japan has been much in the Indian mind of late. Lord

Curzon knew Japan and her problems long before he became Viceroy of India.

Many of the best and most experienced of Indian administrators have watched the working of the Indian police system. They have deplored its defects, but they have hesitated to suggest remedies. They knew that the police affect the lives and happiness of the people of India more closely than any other Department of Government; and they knew that the police underlings were often corrupt and tyrannous, a terror to the quiet, honest villagers, and a grave discredit to Government. All recognized that the police force was underpaid, inadequately supervised, detested by the public and disparaged by the officials. But all recognized that on this huge force depended, in a great measure, the peace and security of India, and many good and wise men thought that the safest course was to leave things alone. One reason for this policy of inaction was the want of money. Now Lord Curzon's Viceroyalty, thanks to the change in the currency system, has been a period of prosperous budgets. He had the money, he saw the grave defects, and he applied the remedy. The police force has been entirely reorganized, and the pariah department has been placed on an honorable footing, and will attract good men by offering good pay and respectable prospects.

The Berar question has been alluded to as an instance of Lord Curzon's pluck, and his practice of grappling with problems which conservative Anglo-Indians pointed to as rocks to be avoided. This very old question involves treaties with the Nizam of Hyderabad, and involves also the good faith of the British Government. Perhaps among the many brilliant achievements of Lord Curzon's administration none is more satisfactory than the compact which he was enabled to make with the Nizam. The latter gains financially, and is freed from many embarrassments and anxieties, while the British Government secures in perpetuity the fertile Province of Berar. Lord Curzon was not afraid of opening the difficult question. He knew the right and only solution, and his personal qualities and his mastery of the subject convinced the Nizam that the solution was the best for him and his vast State. The whole affair is characteristic of Lord Curzon. Tell him that a question bristles with difficulties and that it has baffled generations of Indian statesmen, and he joyously responds to the challenge.

The question of the Native States which rule one-fifth of the Continent of India is one of extreme delicacy and difficulty. It has perplexed most Viceroys, and is a puzzle to political students; and the policy—the very conservative policy of Indian administrators—has been to leave the Indian Princes severely alone, and to let them stew in their own juice. Provided that the States were isolated, and that there were no symptoms of joint action, nor growth of joint interests, all was well, and the feeble and indeterminate activities of the Chiefs were watched with complacent amusement by the serious and practical administrators on the Simla ridge. But this reactionary Viceroy, practical enough, believes in imagination, and has dreams of ruling India through the heart. He studies the Native States, visits every one of them, begins to talk of them as Feudatories, and hails the hard-working and conscientious Chiefs as his colleagues in the task of administration. He startles all India by a circular letter in which he gives his views regarding the tendency of a certain type of Chiefs to spend their time and their money in England and in Europe. He tells them that they cannot have it both ways; "they cannot remain *vis-à-vis* of the Empire, loyal subjects of the Queen, and *vis-à-vis* of their own people, frivolous or irresponsible despots." He encourages and stimulates them. He will waste nothing, and he sees in those Chiefs, with their great traditions, their vast possessions and their enormous latent powers, an undeveloped resource of Empire. Lord Dufferin, who was also a Viceroy of generous imagination, had won the love and respect of the Indian Princes, and they had given him troops for the defence of the Empire, a valuable and very efficient force known as the Imperial Service Troops. Lord Curzon loses no chance of improving and assisting this force; and, seizing the opportunity of the Peking outbreak, sends Imperial Service Troops to fight for the Empire in China.

He has no fear and no respect for the ancient scruples and suspicions. He calls all the Chiefs of India together to Delhi to do honor to their Emperor, King Edward. There is joint action, and out of joint action arise joint interests. There are meetings of old traditional foes; and Chiefs, who a few generations ago would have been at one another's throats, sit on Committees to consider schemes for the education of the Princes and aristocracy of India. Hereditary rivals, seated side by side, watch with

pride the Imperial Cadet Corps in which there ride four ruling Chiefs. This is all reactionary, say the critics; but, in the matter of the Native Chiefs, as in the business of the University reform, it is the reaction of the liberal and progressive, and not the reaction of the conservative. The new departure in both cases is full of possibilities. In the hands of dull or unsympathetic rulers, it may be full of peril.

There is no space for the many achievements of Lord Curzon. He bequeaths to his successor a very arduous task; for the mere watching of Lord Curzon's reforms in their working will tax the energies of the best and most industrious of men. Irrigation and railways have found a foremost place in the Curzon programme, and the creation of a Department of Commerce points to a closer connection between the Indian Government and the great and growing interests of the vast trade of India. Lord Curzon's conception of his office was that it was the highest and most responsible post in the Empire, and that it would in the future demand the services of a first-rate statesman. Many questions are waiting for the new Viceroy which call for the exercise of the finest statecraft. One of these is the constitutional position of the Viceroy and his Council in conflict with a military autocracy.

India has been called the "Land of regrets." Lord Curzon will never regret the good labor which he has put into India. His health has suffered from devotion to duty, and the same devotion to duty has cast a shadow—only a passing shadow—over a glorious career. He has been edged out of office before he could give the finishing touches to many of his reforms, and he will bitterly regret his enforced absence when the Prince of Wales arrives in India. He will regret, too, that the foundation stone of the great Memorial to Queen Victoria will be laid when he is far away from the Capital which he has striven to embellish and improve. But to these bitter regrets there comes the timely and gracious antidote of the King's telegram of August 22nd: "Most warmly do I thank you for your invaluable services to your Sovereign and to your country, especially to the Indian Empire." The King always does and says the right thing, and we may feel sure that Lord Curzon has not been very wrong in standing up for the constitution against Cæsarism.

ANGLO-INDIAN.

SCIENCE AND IMMORTALITY: A REPLY.

BY W. H. MALLOCK.

LAST June, in the pages of this REVIEW, there appeared an article by Dr. J. Sanderson Christison, which aimed at showing the futility of all scientific objections to a belief in the immortality of the individual mind or life; and not that only, but to establish the contrary position also, that the facts of science exhibit its immortality as certain. I propose here briefly to examine Dr. Christison's arguments, not because I quarrel with the conclusion which he desires to reach; but because the manner in which he attempts to reach it is calculated to discredit it among those to whom he would commend it as reasonable.

His conclusion, as expressed by himself, takes the following form. The individual life or mind, whether in the single cell or in man's brain, is a hyperphysical entity, which enters the organism from without, animates it, uses it, and, when it decays, deserts it, but has no more connection with it than the fiddler has with his fiddle, or than the man who rings an electric bell has with the wire and battery. As to the human brain in particular, Dr. Christison winds up with observing: "Its various organized channels normally bear some correspondence of a 'press the button' order in relation to the activities of the mind: but it appears that it is only a conditional or cultivated correspondence. It is merely the relationship of master to servant." The servant decays and dies. The master—the independent entity—departs elsewhere, "retaining its own integrity."

This conclusion Dr. Christison seeks to establish by four lines of argument, which I will summarize in general terms.

(1) There is, no doubt, a certain uniformity in nature, to which the independence and immortality thus ascribed to the individual mind may seem at first sight to offer an unbelievable

exception. And it is exceptional, no doubt—exceptional to a unique degree: but it is not, for that reason, any the less likely: "for nature," says Dr. Christison, "is constantly presenting us with exceptional phenomena which we can neither deny nor explain"—such, for instance, as "five-legged quadrupeds, albinos among negroes," and so forth: "and if an exception is possible at all, it is possible anywhere, and at any time . . . for, while we know what we expect, nothing is more certain than that we never know that what we expect will happen."

(2) The reason why such an exception as that of a multitude of individual minds "pressing the buttons" of nature, but not otherwise connected with it, seems to many so unlikely is the ridiculous overestimate of science that has prevailed during the last half-century. "Science," says Dr. Christison, "which has been defined as classified knowledge, is more correctly defined as the imperfect classification of imperfect knowledge": for even the sciences which are supposed to exhibit the uniformities of nature on the most imposing scale really present us with a spectacle of irregular breaks or gaps. This fact, he says, is specially illustrated by geology, which, having for years been regarded as revealing to us an orderly sequence of phenomena, is now admitted by the foremost authorities of to-day to be an "illustration of divine irregularities." Indeed, all the inductions of science, "commonly called 'the laws of nature,' are," he continues, "limited and fragmentary in their range." "It is, therefore," says Dr. Christison, "surely clear to all that science is in no position (on any *a priori* grounds) to declare that the immortality of the individual mind is impossible, or is even rendered unlikely, by what we know of "the scheme of nature."

(3) But science is unfitted to dogmatize as to the problems of life and mind, not only for the negative reason that its discoveries, such as they are, "are fragmentary and limited in their range," but for the positive reason also that the subject-matter of these discoveries—namely, the phenomena of the sensible universe—let us examine them never so completely, can give us no information with regard to their own sequences and interconnections. Thus, says Dr. Christison, the greatest men of science of to-day have completely thrown over the entire theory of evolution, with regard both to the development of the inorganic universe, and more especially that of living species. Further, when we come

to the origin of life itself, the gap between the living and the lifeless, which ordinary observation detects, instead of growing narrower as scientific research proceeds, is every day exhibiting itself as more and more immeasurable. All the leading scientists of the present day have now agreed, says Dr. Christison, in making what he calls a final "announcement" that we witness in the living "germ-cell" the advent of some mysterious "entity," originating in a world alien to that of material nature, and alone giving life to a small piece of "dead matter," which would otherwise be nothing more than a mere "bundle of crystals."

(4) The most striking proof, however, that life is essentially independent of any organism is to be found in scientific observation of the brains of the higher animals, notably of man, and in concurrent observation of their mental life and behavior. Rash and foolish persons, not many years ago, imagined that they had established an identity or parallelism between the two. But now, says Dr. Christison, "*nous avons changé tout cela.*" The two do, indeed, coincide as a general rule, but only as the movements of a sleeve coincide with those of an arm. The sleeve may be torn away, and the arm remain as active as ever. This contention he supports by a number of examples, of which no more need be said till we come to consider them in detail.

We will now see what the above arguments come to, taking them, so far as is possible, in Dr. Christison's own order. They divide themselves into two groups, the first and the second dealing with the character of science generally, while the third and the fourth deal with special sets of phenomena.

We will start, as he himself does, with "exceptions" to the uniformities of nature, such as—to take two of his own examples—a white crow, or a cat with five legs. Such phenomena, he says, are admitted by every one as being "not in accordance with the usual order of nature," or as being "organic exceptions to nature's apparent rules." Now, such expressions as these may be permissible in ordinary conversation: but when used, as Dr. Christison uses them, in what purports to be serious argument, the only meaning which they possess is fundamentally false and misleading. In its colloquial sense, an exception, no doubt, means something which is not in accordance with the apparent rules of nature; but it means this only because the rules of nature, when referred to thus, are understood in a colloquial

sense likewise. They merely stand for the *usual*, as ordinary experience gives it to us; and an exception to them is merely an occurrence which is at once comparatively rare, and out of our power to predict, because we do not know all its antecedents. But if the rules or laws of nature are understood in any serious sense, what Dr. Christison calls "exceptions" are not exceptions at all. His five-legged cats, and his white crows, though exceptional in his own experience, are not "exceptions in nature." They result from their antecedents in accordance with natural law, just as crows do which are black, or the cat in the nearest kitchen. The only difference between the two kinds of case is this, that the two sets of antecedents have not been entirely similar, though we may not be able to discover what the point of difference is.

Dr. Christison himself seems to anticipate some such criticism as this; and the next section of his argument is apparently designed to meet it. In what has been just urged—this is what his contention comes to—we are merely throwing the exceptional a step farther back; and are thus bringing ourselves to what is really his fundamental proposition. This is that, even if nature be fairly regular to-day, it was at all events a scene or a process of "divine irregularities" in the past, which are, by means of its general regularity to-day, constantly cropping up and asserting themselves in every kind of incalculable fashion; so that, to use Dr. Christison's own phrase, "while we know what we expect, nothing is more certain than that we never know that what we expect will happen." He not only asserts the past irregularity of nature to be a fact; but he maintains that science itself is at length becoming a reluctant witness to it. For this last statement he quotes two authorities, which he invites us to accept as typical of the grounds on which his case is founded. One of these is a passage, taken from a popular magazine, in which Professor Starr Jordan compares geologic science to "a book with half its leaves torn out, and the other half confused, displaced and blotted." The other is a single sentence of Professor Huxley's: "A law of nature is the product of a mental operation upon the facts of nature which come under our observation, and has no more existence outside of the mind than color has."

Now, neither of these two passages—the one being merely a piece of popular rhetoric, the other being the *obiter dictum* of a

thinker whose philosophic instability was proverbial—could be taken as constituting a proof of the self-confessed bankruptcy of science, even if they bore the meaning which Dr. Christison attributes to them. On this point, however, there is no occasion to insist; for the fact is that they mean something wholly different. Professor Jordan's words do not mean that the geological evolution of the earth was less in accordance with law than science has been accustomed to consider it; but merely that the records of it, as accessible to us in geological strata and so forth, are not complete enough to enable us to be certain as to all its details. Dr. Christison's interpretation of the passage would be justifiable only on the assumption that all regularities are limited by our own powers of discovering them; so that, if we possessed only an "incomplete and blotted" copy of Euclid, this would constitute a proof that there was no order in geometry. This is, indeed, the precise assumption made by him—the precise assumption which he imagines himself to have caught Professor Huxley corroborating. But what Huxley really meant was merely a repetition of the assertion, which he launched so constantly at the head of his enemies, the theologians, to the effect that, in calling the uniformities of nature "laws," and thus suggesting to ourselves the idea of an external lawgiver, we are bewildering ourselves with an idea which has no warrant in fact. Instead of casting a doubt on the universal regularity of nature, he was seeking to represent it as a regularity which was self-existent, and required no will outside itself to account for it. Dr. Christison thus quotes Huxley as asserting the very thing that Huxley was denying, and the weakness of the doctrine which he is himself seeking to formulate is evident from his assertion that the so-called laws of nature are merely "condensed statements" of facts that have been "observed" to happen. From this conception of science, the whole essence of science has been eliminated. Science is not, as he says it is, condensed or tabulated observation. Science is essentially, as Herbert Spencer says, tabulated "prevision," which has tabulated observation as its basis. If it were not prevision—if it were a record of observed facts merely, and did not give us certainty before observation was possible—it would be nothing more than a dust-heap of useless gossip: and Dr. Christison's own science of medicine would be the random guesses of a savage. It is, of course, open

to Dr. Christison to deny to all prevision any certainty that rises beyond a guess. All natural certainty and the validity of all induction rest, as Hume says, not on any formal reasoning, but on a "propensity" which inheres in man; but to assert, as Dr. Christison does, that what he calls "exceptional" events, the detailed observations of science, and the recent admissions of scientific men, give us warrant for supposing that the order of nature is less uniform than science has hitherto assumed it to be, is to use hasty and unconsidered language.

The nature of Dr. Christison's onslaught on the authority of science generally is illustrated farther when he proceeds to deal with the details connected more particularly with the question of life and mind. That those who believe the individual organic life to be the evolved product of the general substance of the universe are far from having mastered completely the details of the productive process, is no doubt perfectly true; but Dr. Christison does not content himself with saying that the reality of such a process has not yet been completely demonstrated. He declares that science has demonstrated that no such process is possible. We will glance at the various arguments by which he seeks to support this position; and we shall find that each one of them is either a direct misstatement of fact, or rests on a misconception of the most rudimentary philosophical principles.

He begins by asserting that the evolution of the organic from the inorganic has been robbed, during recent years, even of any antecedent probability, by the fact that men of science have now discarded the idea that such a thing as evolution exists, and are going back to the theory of "divine irregularities." Such a statement as this requires no answer.

Having disposed of the question of probabilities, he proceeds to the question of possibilities; and he argues that the inorganic world has now been shown by science to be, in its very nature, incompetent to produce organisms. For, the inorganic world, he says, is, according to science, made up of "dead" matter, which consists of a multitude of dead self-existing "entities"—in other words, of atoms: these entities being "immortal," and individually incapable of change. Associated with the atomic entities, but in itself wholly separate from them, is another entity, namely energy, which communicates motion to the atoms, but communicates nothing else. Statements such as these, in-

stead of representing scientific thought, represent the very conceptions against which that thought protests. The beginning of Herbert Spencer's "First Principles" shows that, for science, matter and energy alike are merely aspects of a single undivided fact, the absolute nature of which is beyond our mental grasp, but which is, in some sense, however feebly we can imagine it, not universal deadness, but universal mind and action.

Let us now follow Dr. Christison from the possibilities of the question to its actualities. The individual mind appearing first in the germ-cell, the more minutely, he says, organic matter is analyzed, the more immeasurable does the gap between it and inorganic matter appear. Recent discoveries, however, as to the structure and genesis of the atom have shown it to possess certain qualities, at all events, which were supposed, till almost yesterday, to be peculiar to organic bodies; so that, whether the gap in question has been actually bridged or no, it has at all events become narrower than it was, instead of more immeasurable. Here again we are confronted with a direct, though of course an involuntary, misstatement. But, waiving this point, let us follow him in his farther contention that science, when examining the germ-cell on its own merits, has definitely discovered the presence in it of some mysterious agency which obviously belongs to some world other than the scientific universe. The typical scientific authorities which he here cites are as follows: "There is an absolute distinction," says Lord Kelvin, "between crystals and cells. Anything that crystallizes can be made by the chemist. Nothing approaching to the cell of a living creature has ever yet been made." Professor Ira Remsen says that the smallest particles of which the chemist can be directly cognizant "are immense as compared with those of which he has good reason to believe the various kinds of matter to be made up." Professor McKendrick says that "the phenomena of life depend on changes far too small to be seen even by the strongest magnification yet obtained by microscopes." And, finally, Dr. Christison quotes Professor Clerk-Maxwell as asserting that the germ-cell is too small to contain a sufficient number of molecules to account for all the characteristics that are transmitted; wherefore, the germ-cell "cannot be a purely material system." Such are the passages Dr. Christison cites to show that the most recent science has once for all declared that

life neither does nor can arise out of any process belonging to the physical universe. Let us see what these passages really come to. The first passage taken from Lord Kelvin is merely part of an emphatic statement that no one has succeeded hitherto in producing life artificially. Dr. Christison takes this as equivalent to what he calls an "announcement" that, because life, as yet, has never been produced by man, it cannot be produced by nature, and must therefore be supernatural. He might as well say the same thing about gold. His misunderstanding of the other passages quoted by him is more curious still. Professor Remsen, Professor McKendrick and Professor Clerk-Maxwell are all quoted by him as though they were urging a common argument; whereas in reality the first two are directly contradicting the third. Clerk-Maxwell argues that life cannot be wholly material, because the number of particles contained in the single cell are too few to account for the complexity of vital phenomena. Professors Remsen and McKendrick argue that these phenomena pass our comprehension, because the particles which make up the cell, and to whose interaction life is due, are so minute and so incalculably numerous that they must always elude our observation. Dr. Christison seems unaware that the first of these statements, namely Maxwell's, is founded on a view as to atoms which by this time is wholly obsolete. He seems equally unaware that the second in any way differs from it; and that, whilst one of his authorities is worthless as a support for his own theory, the other two assume the very theory he is trying to demolish.

It remains for us to consider the final set of arguments adduced by him—namely those which rest on an examination of the brains of the higher animals. What Dr. Christison maintains that such an examination has proved is, that, though the brain is a mechanism consisting of numerous parts, each of which is adapted to the performance of a special function, these are merely instruments which have been elaborated for the convenience of an independent mind, and have no essential, and indeed no fixed, connection with it; so that, when one or more of them happen to get out of order, or are destroyed, the mind can transfer the duties of these parts to others, and Dr. Christison supports this contention by reference to a number of cases in which parts of the brain have been removed or become diseased, without producing any corresponding mental derangement.

Now, it should be remembered that those who believe that the brain and the mind are inseparable do not maintain that every part of the brain-substance is vital, any more than they maintain the same thing with regard to the body generally. They maintain this with regard to certain parts only. If these be affected, they say, the mind is affected proportionately; and, in order to support their thesis, it is needless to maintain more. Farther, since the vital and the non-vital parts are contiguous, the value of all evidence with regard to cerebral injuries depends on the nicety with which the injured parts are discriminated. Such being the case, the larger number of Dr. Christison's instances are vitiated by the fact that, according to his own admission, they are wholly indeterminate in their character. He speaks of the "extensive destruction" of this or that cerebral area, or of lobes that can be cut off "almost completely," or of other lobes that may be "diseased more or less extensively," without injury to the mental activities with which it has been sought to identify them; but he does not venture beyond these general terms. Instances such as these prove nothing, and we must pass them by, confining ourselves to those with regard to which he speaks more precisely. These are five in number; and, in contrast to his treatment of the rest, he treats these with as much precision as under the circumstances was practicable. They are cases vouched for respectively by Professor Putnam, Dr. Pierce Bailey, Dr. W. Haddon, Professor Andral, and Dr. W. Ireland. In each of these cases there was extensive brain-disease, and we may admit (though even this seems doubtful) that in each case the mind remained normal. But the important point to be here remarked is that the extent of the disease is, in these cases, clearly specified; and in each case it was confined to one-half of the brain, or the band of fibres by which the two halves are joined. Here are the most definite evidences that Dr. Christison is able to produce; and the value of his general argument may be not unfairly judged by them. What then do these five examples prove? The brain is a double organ, like the organs of sight and hearing; and the fact that, when one-half of the brain is injured the mental activities need not be noticeably affected, no more proves that the mind is in any way independent of the brain, than the fact that a man may continue to see and hear, though one eye may be blind and one ear may be

deaf, proves that sight and hearing are independent of eyes and ears.

It has seemed to me worth while to examine Dr. Christison's arguments, because they are, in respect of their general character, common to a very large class of persons, some of them possessing much, and some of them little, knowledge; but all of them bound together by a similar emotional temperament, and—if I may venture to say so—by certain mental and emotional defects. Their main desire is to vindicate the moral and religious value of life, and to discredit at all costs every argument that seems to them fatal to it. But in seeking, as they do, to achieve their object by a rush, or by a short cut, they are doing their own cause more harm than good. I will wind up these observations by asking Dr. Christison, and those who argue as he does, to consider what scheme of things—what sort of universe—would be presented to us, if their premises and arguments should really be accepted by mankind as valid. The number of cells in the brain of the stupidest man probably exceeds that of the entire population of the earth. Of all natural mechanisms, the brain, to which must be added the nervous system, is the most delicate and complicated; and yet, according to Dr. Christison and his friends, most of its delicacy is wasted, and its exquisite mechanism unnecessary. Shakespeare and St. Paul would have been what they actually were, had they had the brains of guinea-pigs, or next to no brains at all. In what light, then, are we to view the fact that some Power or other has been at the pains to develop the human brain as we know it, seeing that, according to Dr. Christison's reasoning, an incomparably simpler apparatus would be no less efficacious? Farther, if this argument for immortality is sound, it applies not to man only, but to every living thing. The bug, the louse, the tapeworm, the germ of every foul disease, is an eternal entity as much as any saint or hero; and the same arguments which give a man hope that he will one day meet again a beloved wife in heaven, must compel him to believe that he will probably encounter also every immortal microbe which may have been a cause of her premature death. There are serious and sober reasons for believing that immortality may be a fact; but they are certainly not the reasons on which Dr. Christison and his friends rely.

W. H. Mallock.

SOME RESULTS OF THE WAR.

BY SYDNEY BROOKS.

In any attempt to estimate the results of the war we must first make sure that the war is really over. Is the peace that was signed at Portsmouth on September 5th a lasting peace or a mere truce? Were the St. Petersburg papers right that affected to speak of it as nothing more than a temporary suspension of hostilities, a momentary step backwards to enable Russia to make a better jump later on? Or was the Mikado right when, as in his telegram of congratulations and thanks to President Roosevelt, he declared the peace to be "based on principles essential to the permanent welfare and tranquillity of the Far East"? Unless and until such questions are resolved, however tentatively, the essential basis for speculation on the consequences of this unique conflict must be lacking. Nor is it altogether easy to resolve them or to strike even an approximate balance of probabilities.

In England, I must say that opinion inclines overwhelmingly to a belief in the durability of the peace. Yet, even in England, there are those who sound a note of reasoned scepticism. They argue that Russia emerges from the Conference "with the prestige of her traditional powers of resistance not only confirmed but immensely enhanced"; that she will be more than ever convinced of her security from last humiliations and injuries "entailed by war upon Powers whose national organization can be shattered by a blow at the centre"; that, in short, she has not learned her lesson; that, though she has agreed to peace, it is with a mind full of *arrière-pensées,* and that there is "no inward renunciation, no real chastening, of her traditional ambition in the Far East." No political thinker, they assert, can believe that Russia proposes to be definitely content with the territorial limits into which she has been compressed. We are

warned that the Siberian railway will be relaid and double-tracked from Moscow to Harbin, and that in any future war in the Far East Russian striking-power will be vastly increased. We are invited to remember that the motives which, at some future time, might impel Russia to a renewal of the struggle can only be justly appraised if we take into account both the magnitude of the prize for which she offered battle and all that the loss of it, if final and irreversible, means to her.

What does that loss amount to? It amounts to this: that Russia, after generations, centuries even, of peaceable, almost effortless, expansion across Northern Asia, and at the very moment when that process of expansion was about to receive its coping-stone, is now condemned to admit defeat at the hands of a despised Asiatic nation; to acknowledge herself no longer a part-proprietor in the fortunes of the Pacific Ocean, but only a visitor on sufferance; to see the vast and resplendent undertaking of the Siberian railway end fatuously in a *cul-de-sac,* and to feel that the domination of China has been wrenched from her. Port Arthur was far more than the symbol of Russian power in the Far East. It marked the triumph of that ambition which, since the days of Peter the Great, has animated all Russian policy. At Port Arthur alone had Russia established herself by the side of the warm waters; and the loss of it tragically duplicates for Russia in the Far East the very dangers that threaten her on the Persian Gulf, the Bosporus and the Baltic. She remains a virtually landlocked State. The bonds that but two years ago seemed at last to have been severed, have been riveted on anew. The only base from which Russia could defend and promote her interests and ambitions throughout China and the Pacific has been snatched from her and occupied by her conqueror and rival.

Is it to be supposed that Russia will forever resign herself to the ignominy, the cramping limitations, of such a fate? Her future effectiveness in the Far East, her influence over China, and almost her very existence as a naval Power in the Pacific depend upon its reversal. To her time is nothing; the lure that for centuries has drawn her towards the Far East is much.

There is, admittedly, a certain force in such arguments as these. But I think it can be shown that there is a greater force in the facts which they overlook. More than a little weight, for instance, should be attached to the unanimity with which the world

has recognized the reasonableness of the peace. It is a peace that frustrates great ambitions and brings to partial or total ruin many great schemes of policy and material enterprise; but it does so without straining the logic of accomplished facts, and without pushing either the rights or the opportunities of the victor to the uttermost point. It is a peace such as Bismarck made with Austria after expelling her from the Germanic confederation—a peace, that is, framed to save the self-respect of the vanquished nation, to reconcile her to the inevitable, and to prepare the way for a restitution of cordiality and confidence. Not only is this the opinion of the world, but also of Russia herself. Russia admitted, in a very practical way, the essential justice of all the vital Japanese demands by agreeing to them almost without discussion or objection. She readily recognized Japan's predominant interests in Corea, handed over to her the lease of Port Arthur, and undertook to evacuate Manchuria. So vast a surrender—involving the giving up of almost everything Russia has striven for in the Far East—could scarcely have been made so easily had it not been felt that it was not merely unavoidable, but the just and necessary result of the war. To have yielded all this does not seem, as a matter of fact, to have humiliated Russia so much as her successful refusal to pay an indemnity seems to have rejoiced her. That is a happy omen. A peace is all the more likely to be enduring when the vanquished belligerent is obliged to confess that it might have been worse. The absence throughout Russia of any resentment against Japan, the consolation of having on one or two minor points achieved diplomatic successes and forced Japan to give way, and the essentially generous and responsive characters of both peoples, are all in their way guarantees of the stability of the peace.

But a far more effective guarantee is to be found in the internal state of Russia. The extent to which the domestic ferment hampered the prosecution of the war and induced peace has, I believe, been greatly exaggerated. At the same time, the war has made it forever impossible to separate the external fortunes of Russia from her internal conditions; and for the latter the first and decisive necessity is a long period of recuperation. We must remember that what the reformers at bottom contend is that domestic development, from now onwards, must precede foreign exploitation. To a policy of aggression and expansion

they oppose a policy of consolidation. Russia to be strong abroad must first be contented and, if possible, prosperous at home. But consolidation, as the reformers use the word, can only mean a contraction of Russia's foreign activities, Russian finances being totally unable to pursue simultaneously external expansion and internal improvement. I have elsewhere argued that, so far as Russia is concerned, an unbreakable chain of cause and effect links constitutional reform with economic reform, and both with foreign policy. The first will be futile without the second, and the second impossible while the third remains unchanged. Every sign and every probability point to the conclusion that, for many years to come, Russia's main preoccupation must be of a domestic character; and it seems almost certain that a struggle has been begun which will not be abandoned until Russians are in possession of the elementary liberties of worshipping, speaking, writing, meeting and moving as they please; until they are allowed a real share in the direction of national policy; and until they cease to be the victims of a system that prefers an empty colonial expansion to the well-being of the people at home. Even with these elementary liberties secured, the tangible promotion of national well-being will not have been brought much nearer. The national well-being of Russia cannot be promoted unless taxation is reduced, or unless the product of taxation is diverted from strategical and imperial to social and domestic purposes; and neither course is possible without a sweeping change in the scope of Russian expansion and foreign policy. Until conditions at home have become more stable, until the intellectuals have been pacified, until the peasant is relieved from the necessity of selling for money what he needs for food, Russia, one may confidently predict, will be forced to confine herself to domestic affairs.

That a regenerated Russia, ruled, or partially ruled, by popular opinion, would ultimately prove less aggressive or less Imperialistic than the bureaucratic Russia of to-day, there is no reason to believe. Sooner or later, we may be sure, Russian expansion will resume its course. Whither will that course lie? To such a question there can but be the broad answer which is supplied by all Russian history—it will lie along the line of least resistance. But there can be very little difficulty in proving that Manchuria and the Far East are the line, not of least but of greatest resistance, and that even towards Constantinople, even

towards the Indian frontier, Russia would not encounter obstacles one-half as forbidding as those that time must infallibly array against her in the Far East. If we imagine a renewal of the recent struggle twenty, thirty or forty years hence, we may be dealing in speculation with a time to which the Anglo-Japanese Alliance in its new and more vigorous form does not apply. I say we may be, because even that is not a certainty. The community of political interests that unites Great Britain and Japan is so strong that, even fifty years hence, the two Powers may be guaranteeing by the naval and military might of both the Asiatic possessions of each. What, at any rate, may be regarded as axiomatic is that, while that Alliance endures and binds both the high contracting Powers to come to one another's assistance when either is attacked in Asia by even a single enemy, Russia, so far as the Far East is concerned, is pegged down to peace.

But, leaving the Alliance altogether on one side, and counting up Russia's chances of success in any future war with Japan as though Great Britain did not exist, it must be very clear that the conditions of a Russo-Japanese struggle can never again be as favorable to Russia as they have been during the past two years. For in the future Japan will be able to hurl against her foe the endless armies of China. The Occident is still curiously sceptical of the Chinese ability to fight, just as it used to be sceptical of the ability of any Oriental people to handle so complicated a machine as a battle-ship, or to learn more than the alphabet of applied science. But that the Chinese can fight was sufficiently proved during the Taeping rebellion; that they are willing to receive from Japan the training, and are able to receive from her the vital touch, that differentiate an army from a mob, seems established by all that is known of the discipline, equipment and morale of General Ma's army; and that Peking will seek to flood Manchuria with colonists, and will henceforward zealously guard the province that contains the ancestral tombs of the Imperial House of China may also be taken for granted. It is a reasonable assumption that, before restoring Manchuria to China, Japan will take every precaution to insure the safety of its frontiers; will organize, discipline and reinvigorate the Chinese forces; and will in time convert them into a formidable instrument of defence, capable, in case of need, of harassing to an indefinite extent the Russian communications and system of supplies. A

double instead of a single line from Moscow to Harbin would not, therefore, greatly benefit the Russians if it merely brought them into the midst of tens of thousands of Chinese through whom a way would have to be cut. And even then Russia's difficulties would have no more than begun. To reach Port Arthur—and Port Arthur alone would be her objective—she would have to fight and march, march and fight, from Harbin to the sea. She would have no railways; they would all be in Chinese or Japanese hands. Being forever deprived of an effective naval base in the Far East—for half-frozen Vladivostok is not an effective base—she could neither challenge the Japanese navy, except in the feckless Rojestvensky fashion, nor interrupt for a moment the troops and supplies that would be poured on to the mainland. Behind her would be the Chinese myriads; before her would be the Japanese armies; and to the remnants who escaped or broke through both the Chinese and Japanese would fall the task of besieging and capturing Port Arthur. All and more than all that the Japanese have accomplished in the last nineteen months the Russians would have to accomplish under circumstances of infinitely greater difficulty. The thing, in short, is so impossible that it is doubtful whether it would ever be attempted and certain that it would never succeed.

The peace, then, will endure. On the edge of Asia, and in a position to dominate that ocean which more and more is becoming the battle-ground of the world's politics, a new Power is irrevocably established. Of that Power, as I have before now ventured to suggest in some English journals, very little is really known. Her rise has been too swift, too secret and too dazzling to enable the world to gauge her aspirations and ultimate ambitions. We know, indeed, that in all or most of the elements of strength she is as strong as any Power in the world. The revealing light of war has given us the partial measure of her capacities and some glimpses of her hidden character. She has placed a million soldiers on the mainland of Asia, and every one of those soldiers seems to be a Bayard. Their cheerful and passionate contempt for death, their capacity to sustain every extreme of climate and every kind of fatigue, added to their intelligence and their bravery, make the experts doubt whether as units the Japanese soldiers have, or ever have had, any superiors. We have seen, too, that Japan can display an administrative efficiency which is not

only unique in Asiatic history, but, except perhaps in Germany, unrivalled anywhere. We know also that her officers are capable of adding to a groundwork of administrative perfection the flexibility and the intellectual qualities of the highest generalship. And what applies to the army applies even more pertinently to the navy. On both elements Japan stands forth so powerfully equipped and so protected by her geographical position as to be virtually invulnerable except by China, whom she will control, and by Russia, who will not again venture to attack her. In a few years' time she will have a fleet thrice as big as Togo's, an army improved, if that be possible, by the experience of the past two years, and a material basis and reserve in Corea and Manchuria infinitely greater than any she now possesses.

And to say even this much is still to leave unmentioned the prime and imperishable sources of her strength. It has been borne in upon Europe and America by the experiences of the war that there is to-day no Western nation with a fibre so hardy, with the spirit of unity so intensive and so extensive, with the capacity for self-surrender at once so disciplined and so instinctive, and with the sense of obligation so universal and positive, as Japan's. To a degree that the Occident not only cannot approach but finds it hard even to realize, Japan is a State animated by the passion of private sacrifice for public ends. Europe and America in fact have to acknowledge, and to rearrange their diplomacy by the acknowledgment, that Japan is a Power of the very first class, secretive, incognizable, perspicacious, resolute, indomitable, equipped with every quality and every resource that can make a nation victorious and keep her great. They have also to face and acknowledge this unquestionable and staggering fact that Asia has found a leader, and that something like a thrill of recognition and understanding has passed from Cape Comorin to Peking. I read a few months ago the translation of a letter written to a well-known Persian newspaper by a Persian patriot. In it the writer suggested to his countrymen the advantages of a commercial alliance between Japan and Persia; of making their military purchases in Japan; of sending Persian students to Japan for military, naval and other kinds of education; and of requisitioning the services of Japanese officers for the training of Persian troops in the arts of modern warfare. In India, the effect of the rise of Japan has been not only to increase the num-

ber of Indian students who repair to Tokyo for instruction, but to suggest a parallel that the English rulers of the country cannot view without some disquietude. Indian opinion has, I believe, warmly approved the Anglo-Japanese Alliance as an example of English liberality and of English preference for the realities over the shams of civilization; but, undoubtedly, the Japanese successes have very widely sown the idea that, if they too were "free," Indians might do as the Japanese have done. But it is, of course, in China that the results of the victory of Japan will be deepest and most numerous. Already there are signs of a new and incalculable spirit—witness the boldness of the boycott of American goods, the cancellation of the Canton-Hankow Railway contract, the insistence with which China pressed her claim to be represented at the Portsmouth Conference, the edict adumbrating a Parliament twelve years hence, the beginnings of military reorganization, and the swiftly growing number of Chinese students who are now scattering over Japan, America and Europe. The "yellow peril," as the Kaiser figures it, must always remain a mere nightmare; but that Japan will seek to rouse and harness the vast potential energy of China, to organize her resources and to shape her policy, seems not only natural but necessary. And the resurrection of China, if it be real and thorough—as it certainly will be, if the Japanese have anything to do with it—may mean that the next Boxer rising will prove successful, and must mean that the methods and spirit of Western dealings with Peking must be revolutionized.

Nothing can be more foolish than to suppose that Japan will not have ambitions, a policy and a dignity of her own. Her dignity will make it impossible for her to remain eternally quiescent under the exclusion laws that are enforced against her subjects in Australia, British Columbia, Hawaii and the United States. She might not think it worth a war, if remonstrances and appeals failed to get the offending statutes altered or repealed; but she might very well come to the conclusion that this is one of the matters in which reciprocity should prevail. She might, therefore, as China has begun to do, penalize the trade or the subjects, or both, of the countries that discriminated against Japanese immigrants; and if once Japan's voice were raised in a demand that Asiatics, Americans and Europeans should be treated, and should treat one another, alike, it would be impossible to disre-

gard it. That her ambitions are likely to take a form that would cause anxiety to Germany as the owner of Kiao-chow, to France as the owner of Indo-China, or to the United States as the owner of the Philippines, I cannot bring myself to believe. For many years to come, the Anglo-Japanese Alliance will be a specific guarantee for the stability of the *status quo* in and around Asia; and for yet more distant years Japan will still be developing that huge and fruitful Empire that has come to her as the spoils of war, will still be consolidating her interests in China, and will still be straining to undersell all competitors and to secure the virtual monopoly of the Chinese trade. That may not be a prospect that is particularly pleasing either to Europe or to America; but, at least, it relegates into the remote background the prospects of a policy of aggression. For our day and generation, at the very least, and probably for much longer, Japan's energies will be too much engrossed with the duties and opportunities that lie immediately ahead of her to trouble herself about the further acquisitions that might accrue from a programme of adventure. Nor is there anything in the Japanese character, so far as it has been revealed to us, that at all squares with the aggressive intentions imputed to her. On the contrary, nothing would seem more alien to that character than those intentions. Japan fought for security and for room. She has won both. She will entrench her security so that it can never again be jeopardized, and she will develop her new dominions to the uttermost. In doing so, she may run grave moral risks. The time may come when she may look back upon to-day as the brightest moment of her history. The materialism of prosperity and success, and the class contentiousness that it swiftly develops, are the foes from whom she has most to fear. They may relax the national fibre, make inroads on that sense of national cohesion now so proudly vivid, and place a set of lower ideals in competition with the spirit of pristine patriotism. This is Japan's Elizabethan epoch. We shall not know till she has been tested by generations of success whether the self-indulgence, the vulgarity, and the party spirit of the Victorian Age, are also to be hers. The lines of her development from now onwards are complex and obscure; but those who predict that she will prove a sort of Genghis Khan among nations have surely the flimsiest premises of all to stand on.

SYDNEY BROOKS.

MARRIAGE AND DIVORCE: THE LETTER OF THE LAW.

BY NORMA W. JONES.

EVERY little while, almost periodically it seems, a wave of virtue sweeps over the land on the subject of divorce. Some, with whom fate has dealt kindly, or to whom Providence, or circumstance, has given companions who happen to be congenial to them, are aroused to terrible apprehension over the state of the country at large, because some couples, more or less prominent, have felt obliged to appeal to the courts to sever their marital bonds. These talk and write about amending the laws; no divorce shall be granted in any State for any cause save one, the so-called Scriptural one. Church councils are held; no divorced person must be countenanced; no minister of the Gospel must dare remarry any such, no matter what the circumstances may be. Some even go so far as to contend that no person who has ever been divorced shall be received into, or allowed to remain in, the Church, or to partake of the Holy Communion.

They search the Scriptures, and pick out what they consider the Divine Law on the subject, give their own interpretation to it, and then say that every one shall be held to the *letter of it*, or be excommunicated from the Church and from all decent society.

They quote words which may have been spoken by Christ, but which were addressed to those whose customs and circumstances were far different from those of the men and women of to-day. Eighteen centuries have made a vast difference in the status of women, both under the civil and moral law. Nearly all the Churches act upon many passages of the Bible more liberally —for instance, the one relating to women in the churches: "Let your women keep silence in the churches, for it is not permitted unto them to speak." "If they want any information,

let them ask their husbands at home," etc. In how many of the best churches in the land have these teachings been abrogated entirely, women being foremost among their speakers and workers, many even filling pulpits of their own. So, we believe and claim, should the teachings as to marriage and divorce be somewhat modified, in judging cases at the present day.

The text on which most stress is laid is this: "What, therefore, God hath joined together, let not man put asunder."

Permit us to ask, what means have we of knowing whom God really joins together? We have never found any formula laid down in the Bible for a marriage service; so what constitutes true marriage in His sight? Surely we cannot think that *all* who stand up before His ministers and take upon themselves the vows of the marriage service, as arranged by the Church and by the customs of society, can be said to be joined by *God!*

Think of the unworthy motives that actuate many of those who assume the marriage relation; of the "*mariages de convenance,*" or those for money, or title, or position.

Or, coming down to every-day life, what of the women and girls who marry almost the first man who asks them in the hope of bettering their condition, or to escape unpleasant surroundings at home; and what of the men who marry just to get a servant or a housekeeper? The love and respect, the *true union of hearts,* which alone should constitute true marriage, are wholly lacking in many such cases.

The same Bible, which is so much quoted, also says: "Man looketh upon the outward appearance, but God pondereth the heart." Taking this as a test, what man, be he minister or layman, is to be the judge as to *whom God hath joined together,* and make that other text, so often quoted, an iron-clad rule to fit every case? After all, it is but a man who reads over to the couples who stand before him the vows, formulated by man, to which they may assent with their lips while their hearts may have no part in them. This is generally done in God's name and under the most solemn circumstances, it is true; but, for all that, God, who looks at the heart, may not give His sanction or approval.

If, after a while, it is found that a terrible mistake has been made, that one is utterly unworthy and makes no effort to live up to the vows taken, why should the other be bound, either to a life of torture, or to a life of loneliness?

Why would it not be as well to go again before one of God's ministers, and acquaint him with the true state of things; and if he is fully assured that there is no possibility of their living together in peace and harmony, or if there is crime on the part of the one which would drag the other down in the social scale and bring a blight upon the innocent children that might be born to them, why could not the minister, with the sanction of the civil court, dissolve the bond, in as solemn a manner as that in which it was made, and allow the innocent party to go free? Would they not, under such circumstances, be as much put asunder by God as they were joined by Him?

We speak in all reverence. We know it would not be well to make the laws relating to marriage and divorce too lax; but we know as well that there is something wrong with our social system,—that there are thousands of unhappy, mismated couples in this land of ours and in other lands, from the highest circles down to the lowest.

Not much oftener do we read of a divorce, here and there, than we read of some man murdering his wife in cold blood, or of some woman murdering her husband, because the relations between them had grown unendurable. Not many months since two men were hanged on the same day, in neighboring States, for wife murder, and at the same time two women were under sentence of death for the murder of their husbands.

In one of the cases, the wife murdered, a lovely woman, the devoted mother of four children, when asked before the culmination of the tragedy why she did not leave her brute of a husband, replied that "there was such a prejudice against divorce," that "the woman was nearly always blamed." And so she remained, clinging to her vows long after her husband had ruthlessly broken his, until she met her horrible fate at his hands; and the children, deprived of both parents, were left to the mercy of the world, with a far worse stigma than divorce upon their name. How much better would it have been for the devoted mother to have taken the children and sought protection and freedom through the courts!

So long as human nature is what it is, honorable divorce is, we contend, almost a necessity, and those who are forced to take this step should not be judged too harshly.

If mutual love and respect do not hold two people together in

this closest of all relations, no law, human or Divine, will be able to do so. The outward semblance may be maintained, but it is a hollow mockery and a sham, which, we should think, would be a greater sin in the sight of God than a dissolution of the bond. If both would only live up to their marriage contract, were truthful, honest and upright in their dealings with each other and with the world,—above all, if they lived up to the teachings of the Golden Rule, we venture to say there would be few, if any, divorces.

We believe that married life is the true state for both men and women, that no one can reach his, or her, highest development who goes through this world alone, or unmated; neither can there be any true happiness in those relations between the sexes which have not the approval of society and will not allow the conscience to be at peace with God and man. So long, however, as human nature is so frail, temperaments so different, early training and circumstances so utterly diverse, it is well-nigh impossible for some couples to get along peaceably in this closest of all relationships. Their days and nights are filled with bickerings and discussions, till life is a burden to each. Why should they be held together by either civil or Divine law?

Again, in the laws of nearly all states and lands there are the most stringent provisions for protecting the people against false pretences. A contract entered into under false pretence, by either party to it, is promptly declared null and void upon proof of the same. Why, then, should not the question of false pretences in winning a husband or a wife be taken into account, and the same protection be accorded in dealing with this most vital of all matters pertaining to the human race? How many men, how many women, marry, carefully concealing some physical defect, some hidden disease perhaps, some mental or moral trait, which must inevitably cause bitter disappointment, if it does not completely wreck the happiness of those to whom they thus solemnly bind themselves for life. Before marriage, it is the rule for both men and women to exhibit to each other only the best side of their natures, their most lovable traits. They appear to be congenial; each character seems the counterpart, or complement, of the other; but the mantle of beauty, which, mayhap, was all pretence, or the glamour of fancy, falls away in the prosaic atmosphere of married life.

It is impossible to love that which is unlovely, to respect that which is unworthy, to honor that which is not honorable; and a marriage founded in this way on false pretences should be declared null and void as soon as possible.

No two people should be compelled to live together in this closest of all relationships, unless they can do so in peace and happiness, unless each can conduce to the other's welfare. We are forced to agree with the late Robert G. Ingersoll in one of his many sayings, if in no more, that "no children should be brought into the world that are not the children of love and welcomed by both parents." The failure to live up to this rule has given to the world, we truly believe, its vicious and criminal classes.

It is on account of the children that the strongest plea is made by those who cry "No divorce"; but what can we expect of children reared in homes where the parents are constantly quarrelling and bickering, or more disgraceful scenes are enacted? Better, a thousand times, that such couples should separate, that the children born to them be given to the one more worthy, or better capable of taking care of them, or that they should be placed by the court under capable guardianship.

There are other things which should entitle unhappy couples to fair and honorable separation, such as crime against the laws of the land, especially of the father, which entails on innocent children a tarnished name and reputation; also drunkenness, than which no fouler blot can rest upon a home. If there is a person, or persons, on this earth to be pitied it is a drunkard's wife and children, or, a rarer case, the sober husband of a wife addicted to drink or drugs. Such couples should not be held together in the marriage relation an hour longer than the unselfish love of the one or the other may dictate, or after the innocent one is convinced that further efforts at reformation are useless.

There are still other causes that conduce to unhappiness in the married life,—causes that cannot be paraded before the world and yet may render life together utterly miserable. No one can know so well as the parties themselves the true state of things, and they should be the best judges in such a vital affair.

Only those who are united in heart by the purest love and affection, who are thoroughly congenial, who would bear and condone almost anything, rather than be separated, can be truly said to be united by God. It *would* be a crime for *man* to separate such,

as is sometimes done; and this is, most probably, all that is meant by the sentence so often quoted: "What, therefore, God hath joined together, let not man put asunder."

In this connection we will quote what an eminent Judge said in an address on this subject some years ago:

"Since the Reformation, marriage has been regarded as a civil contract, and the 'holiness' of the nuptial bond is a matter simply of ecclesiastical law. 'Divorce,' as mentioned in the Bible, has nothing in common with our ideas of divorce, where a tribunal is established to hear and weigh evidence, and where separation cannot be decreed without proper causes and on a fair hearing. The divorce which Christ referred to was the arbitrary will of a man to put away his wife for reasons sufficient to himself and from which 'bill of divorcement' the woman had no appeal. While Christ did not approve of separation, He acknowledged that Moses had enacted certain laws 'because of the hardness of their hearts,' thus recognizing the fact that men, being mortal and sinful, must be subject to laws assuming that condition. It is plain that Christ's teachings on divorce were necessarily based on the then existing Mosaic law and the iniquitous 'bill of divorcement,' which was manifestly unjust and arbitrary. Civil law, to-day, regards such divorce as did Christ, and no man is allowed to divorce his wife at pleasure. I do not believe that we have a correct translation of the words: 'What, therefore, God hath joined together let not man put asunder'; for, such being true, every marriage is of God, and the necessity for divorce and increasing demand for it is inexplicable. Rather it should read: 'Whom, therefore, God hath joined together let not *the man* put asunder.' The law, as laid down by the Saviour, on marriage and divorce, was an ideal law, fit for the government of angels, or angelic men; but as men are not angels, as all marriages are not holy, nor of God, and certain marital wrongs, not specified by Christ or His apostles, are unbearable, therefore men and women are entitled to honorable, legal divorcement."

The proposition to free them and yet prevent them from forming other ties which might prove most happy and congenial, is most cruel and unjust, and it will inevitably lead many away from the Church and into relations far more questionable than honorable remarriage would be.

NORMA W. JONES.

THE PUBLIC AND THE COAL CONFLICT.

BY HENRY EDWARD ROOD.

I AM one of some seventy-odd millions of Americans who use anthracite coal, and who, in consequence, have direct and personal interest in John Mitchell's recent threat (as reported in newspaper despatches from Tamaqua and Shamokin, Pennsylvania), to create another famine in fuel next year, unless the anthracite mine-workers are granted an eight-hours working day, and, moreover, unless the United Mine Workers of America are "recognized"; by which, I suppose, Mr. Mitchell means that none but members of that labor-union are to be employed in the mines. Now, I have no more interest in John Mitchell than in John Smith, or Bill Jones,—so long as he refrains from interfering with my inalienable right to life, liberty, and the pursuit of happiness. But when any man publicly serves notice that, unless (or until) the coal operators grant his demands, he will deprive me of fuel in 1906, (thereby endangering the health and life of my wife and my children), I have a personal account to settle with him.

I can get along in reasonable comfort without silk underwear, or champagne, or diamond shirt-studs. But I don't propose to get along without coal, or flour or salt. If a supposititious Hiram Doolittle should absolutely shut down the production of flour or salt for any conceivable purpose; if, when I demanded these necessaries to health, he should laugh in my face, I think I should have something to say to Mr. Doolittle; and I should feel justified in making sure that he never would be able to repeat the outrage.

As to the merits of Mr. Mitchell's demands, on behalf of the United Mine Workers, I am not prepared to speak; nor of the coal operators' side of the question. I have little more than an

academic interest in their endless controversy, although, of course, like other good citizens, I earnestly desire justice for both operators and workers of the mines. I belong to the third party to this anthracite question—the general public; the party which, in the end, undergoes the real suffering as well as the real expense attendant upon strikes. And, like seventy million of my brethren and sisters, I am getting somewhat tired of Mr. Mitchell's threat to make us freeze; to deprive many of us of our livelihood by shutting down factories and mills; to lessen the number of trains by which we travel; to close schools and churches—unless we force the mine operators to grant the demands of the union which he represents. All of these things, you remember, he did in 1902.

When one comes to think of it, the situation—in spite of its seriousness—is laughable, ridiculous; a fit subject for some comic-opera librettist. Three years ago this month, John Mitchell was proving to his own satisfaction, and to the amazement of the civilized world, that he possessed more actual power than the police and the courts of Pennsylvania; more power than the entire National Guard of that State; more power than could be wielded directly and indirectly by the moneyed capital of the country concentrated in Wall Street. A private citizen of very moderate education, of limited experience in life, this man calmly took the United States of America by the throat, and maintained his merciless grip until he had choked it into submission. That is not a very nice thing to admit; but free-born American citizens who shivered with empty furnaces, in 1902, or gladly paid at the rate of twenty dollars per ton for six-dollar anthracite (when they could get it in quarter-ton lots), should not be squeamish, although the remembrance of their impotence does make their ears burn for very shame. The question which concerns some seventy millions of Americans, just now, is whether the United Mine Workers of America are going to make us suffer next year as they did three years ago.

Now, I have no fault to find with Mr. Mitchell as an individual. I have no concern with him as a private citizen, and am here referring to him solely in his capacity as chief of a band of some 100,000 men and boys which threatens to deprive me, in the near future, of what is practically a necessary of life. I don't care a fig what quarrel he and his union may have with the

mine owners and operators. If they have differences of opinion about hours of labor, scales of wages or the origin of the moon, it is all one to me. Likewise, I am not interested in the other side—that of the mine owners and operators and the coal-carrying railroads. I have no axe to grind for either side. But when either party to the contest deliberately tramples on my rights as a consumer of anthracite, I make bold to protest. Some fourteen years ago, the late A. A. McLeod undertook to control the supply of anthracite through the Reading Railroad deal, which, as a menace to the public welfare, was crushed by the courts. The McLeod plan was to effect a combination of all operators and owners of mines and of all the coal-carrying roads, so that an absolute monopoly of anthracite could be established and maintained. Audacious as this scheme was, it is doubtful whether even Mr. McLeod ever dreamed of using his power to raise the price of anthracite to $16, $18, $20 per ton, or to shut off the production altogether, for any purpose under the sun.

In order that the uninformed general reader may understand something of the conditions attendant upon a strike, a few words may not be out of place concerning the anthracite fields, in northeastern Pennsylvania, which cover a small, compact territory, holding practically all the available supply of hard coal in this country. A few cities of considerable size and a number of large towns, together with scores of hamlets termed "mining patches," are scattered through a wild, desolate, mountainous region. Originally, most of the mine-workers were Irish, or of Irish extraction. At the time of the "long strike," a quarter of a century ago, there was a minority of Scotch, German, Welsh, and American miners and laborers; but the Irish predominated, and were then, as ever, the principal leaders in the fight. They refused to give in, and peace was finally reached by compromise, after months of struggle. It was then that one of the operators, now deceased, wishing to prevent future strikes, sent an agent abroad to bring back here a ship-load of peasants from Austria-Hungary, who were ignorant, stupid, accustomed to labor for a pittance; and who regarded America as a sort of mundane Paradise, where even the poorest man had some rights. The agent found no difficulty in securing his cargo of human freight, and the foreigners duly arrived in the coal regions. They proved themselves capable of doing the hardest work, were satisfied with

wages on which an American would starve, and when they robbed or murdered it was usually among themselves. Other operators took the hint, and the steamship companies saw a golden opportunity. Not merely Austria-Hungary, but parts of Poland, Italy, Sicily were tapped, and the stream of immigrants quickly became a flood. A decade later, the original residents of the coal regions awoke to the fact that they had a problem on their hands. By that time, excepting in cities and towns, this imported foreign population, according to careful estimate, was several times as large as the American, Irish, German and Welsh combined. Very few of the immigrants brought their families hither. Most of them came to this country intending to remain but a few years, saving, from their wages of fifty cents or a dollar *per diem,* what was to them a competency wherewith to return to their native land. Here and there were men of intelligence who quickly became small merchants, cobblers, etc., and there were priests, of course. But practically all of the earlier arrivals were densely ignorant, superstitious, firm believers in witchcraft, convinced that because of a lack of military display there was no such thing as law in America. Too many of them had good reason to believe there was no such thing as justice, either. Often oppressed by foremen, constables, unscrupulous merchants and justices of the peace, it is no wonder they became unruly. Violent by nature, accustomed to drinking vile concoctions of alcoholic liquors which would drive ordinary men crazy, they added a very undesirable element to the population. The first thing a "Hunk" would buy was a revolver. If he could not afford one, he would select a couple of large stones and carry them in his pockets, ready for use. The Italian's earliest purchase was a stiletto, or, lacking it, he would buy, beg, or steal a file, sit down by the roadside, grind it (with stones) to a needlelike point, stick the blunt end in a corncob for a handle, and go on his way rejoicing.

Labor-leaders, of course, quickly saw an opportunity to swell the membership of their unions, and, when necessary, put forth convincing arguments. A sample may be found in the case of a brawny "Hunk" who was working on a stripping, some years ago, when a walking delegate and several companions approached, told him a strike was on, and ordered him to cease work. He couldn't understand. He had left home and travelled

four thousand miles in order to work; that was why he had come to America. So one of the strangers tapped him over the head with a pick-handle. The foreigner dropped, grunted, rose to his feet slightly dazed, and went to work again. The stranger hit him harder next time, and when he dropped he lay there longer before struggling to his feet, and resuming his task. Then the stranger struck him over the skull with the flat side of the pick-axe itself, and the "scab" foreigner sank down slowly, and lay there a limp, bloody mass of inert humanity. When he got out of the doctor's hands, a fortnight later, his head still swathed in bandages, the strike was over; but he joined the union. It was wiser, on the whole.

Since those early days of innocence, tens of thousands of foreigners have learned, to their own satisfaction, at least, that employers and officers of the law are natural enemies of the laboring-man, whose savior—the labor-leader and strike agitator—is to be obeyed implicitly, at no matter what cost. That there were grounds for such belief must be freely admitted by those cognizant of the innumerable forms of petty graft and picayune oppression visited upon these people. For example, in 1891, when the semi-monthly-pay law was being violated by certain of the operators, to the great inconvenience of mine-workers, if not, indeed, to their distress, I went to Harrisburg to acquaint the State authorities with the fact, in the hope of having the law enforced. It was in midsummer, and none of the higher officials could be found; but I was informed that while such a law had been passed, owing to the insistence of the "labor vote," yet all mention of a penalty had been purposely omitted. So there was no way in which to punish the offenders.

It was not until the summer of 1897, however, that the foreigners showed how desperate they could be when fully aroused. Of the controversy leading up to and resulting in the local strike of 1897, in the Hazleton region, I have nothing to say. Whether the men were in the right as to their demands, or the employing operators, does not concern me in the least; but as the terror inspired by the disturbances of eight years ago may have a direct bearing on my comfort next year, I beg to recall it, in some measure, so that the reader may have an idea of the responsibility which is assumed by a man who orders or conducts a strike in the anthracite fields. I wish to

state here, that Mr. Mitchell did not conduct the Hazleton-region strike of 1897, and the wholesale tragedy that ensued has not been repeated—as yet. But it showed plainly how powerless the employers and the local authorities are to control anthracite-mine workers when they are once enraged. The strike of 1897 originated at a colliery several miles south of the city of Hazleton, and for a time matters were comparatively quiet. One day, however, we learned that the foreign strikers, led by some of the old hands, had commenced "marching." Now, in the anthracite region, the "marching" of miners on strike means something serious. If you are a mine-worker living in a remote mining-patch and have refused to join the union, it is not reassuring to learn that a "march" has commenced in your direction; for you know that means that a score, or a hundred, or two hundred, reckless, desperate men, armed with clubs, are bearing down on your home to try the effect of moral suasion—so called. Furthermore, you know that mighty little sympathy will be wasted on you if you are beaten to a pulp, or are knocked down and have your ribs kicked in or one of your eyes gouged out. Most of the local newspapers are hearty supporters of the labor element for purposes of revenue; and correspondents of almost all the city newspapers know that it is better, for increased circulation, to support a hundred thousand laboring men, than to defend half a dozen railroad corporations, and possibly a hundred individual operators—the anathematized "Coal Barons" of journalistic parlance. After a few days of mild "marching" in 1897, the mobs grew in number and volume. They fed on excitement, and as they went careering along the country roads they seized and impressed into their ranks men who had nothing to do with the strike. Drivers of grocery wagons were taken from their seats, commercial travellers were pulled from their buggies, and other outsiders were forced to go along with the hooting, yelling, threatening mob *en route* to use "moral suasion" on some mine-workers who had refused to join their ranks.

At that time the sheriff of Luzerne County was James Martin, a man who was striving to live up to his oath of office. He tried for weeks, with a posse of deputies, to maintain order, but in vain, for violence increased alarmingly. On Friday, September 10th, he and his men hurried from point to point where mobs had gathered, and he read the riot act to them over and over

again with no results. Late in the afternoon, he learned that a mob of foreigners was marching toward Lattimer to use moral suasion on men living there who refused to go on strike; and he hurried thither in a trolley-car, at the request of the superintendent of the colliery, to protect the people and the mining-plant. He and his deputies arrived ahead of the mob, and the deputies, armed with Winchester rifles, were lined up on private property belonging to the coal company. When the mob came in sight Sheriff Martin stepped out to the public highway and attempted to read the riot act once more; when he was seized, knocked down, and kicked into a ditch by the "marchers." It was then that some or all of the deputies fired at the mob, and rushed forward to rescue Mr. Martin. Twenty-two of the mob were killed outright, and thirty-nine wounded were taken, as quickly as possible, to the surgical hospital in Hazleton. As I wrote, at the time, for *Harper's Weekly:*

"The excitement in Hazleton and in the surrounding towns Friday night was simply terrible. The streets were choked with men and women, who shrieked curses at the 'bloody butchers,' the 'hired murderers,' and 'corporation assassins,' as the deputies were called; and there is little doubt that, if any of them had been found on the streets, he would have met assault and perhaps death at the hands of the enraged populace. It is a fact, almost beyond belief, that within a few hours after the awful event at Lattimer irresponsible blatant politicians had seized the opportunity to further their hold upon the so-called 'laboring classes' by demanding the execution of Sheriff Martin and his deputies, and by speaking of the 'bloody massacre' and of the 'martyred dead.'

"For some reason news of the encounter at Lattimer travelled slowly through the country to the southward of Hazleton, and did not reach the mining-town of Macadoo until about nine o'clock at night; and then the report in that vicinity was to the effect that a large proportion of the English and American miners at Lattimer had started to murder all the foreign miners who could be found. Within an hour, two to three thousand maddened foreigners were sweeping over the mountain roads, firing revolvers and guns into the air, and shrieking that they would kill every white man in Lattimer and burn the town. They intended to sack the gun-stores in Hazleton on their way—at least such was the report brought to Hazleton by a courier on horseback, who had escaped notice of the mob and had got ahead of them. He aroused a number of gentlemen in Hazleton, who seized the weapons with which they had provided themselves since the riot began, and ran toward a prearranged rendezvous on Broad Street. In some cases families were sent into the cellars of their homes, and in others wives and elder daughters sat, guns in hand, at upper windows, ready to cover the retreat of husband and

father should the men be driven by the mob from the corner by the Presbyterian Church, where it was decided to make a first stand. But, fortunately, the mob at Macadoo defeated its own purpose. In order to prevent the people of Hazleton from learning of its action, all telephone wires had been cut; and when a courier from Hazleton rode back toward Macadoo and told the on-coming rioters that regiments of the National Guard already were pouring into Hazleton, the statement could not be disproved, and of course the cowardly mob dispersed and ran to cover. Meanwhile, the courier first mentioned had pushed on from Hazleton to Lattimer, and before midnight that town was literally deserted, with the exception of one Welshman, who stayed in his house with his wife, who was too ill to be moved. All the other English-speaking people—men, women, and children—fled without stopping to dress. Through the woods and over the wild mountain roads they hurried, women and children as well as men, stumbling through briers and over rocks and logs in their bare feet, and facing the cold and dampness clad only in their nightclothes. Some who were too feeble for flight hid in shafts of the mines, and others buried themselves to the neck in the loose dirt of culm-piles. It was a night of terror indeed, and not until the sun was well up did any of the people return to Lattimer. . . .

"Governor Hastings ordered the Third Brigade of the National Guard of Pennsylvania, together with two detachments of cavalry, to proceed to Hazleton, and his order was telegraphed shortly before midnight on Friday. At twenty minutes past six o'clock Saturday morning the first of the transport trains came slowly into Hazleton, twenty picked guards, with loaded and bayoneted rifles, standing on the locomotive and examining the tracks for dynamite cartridges, which, it was feared, might have been placed thereupon. Thirteen hours after the Governor's order had been issued, the entire brigade of 2,800 men had reached Hazleton, and had reported for duty to Brigadier-General Gobin."

Within a fortnight the region was quieted; and as soon as the people learned that they really could go to work, without danger of being clubbed, or stabbed, or having their houses burned, the mining of coal was resumed.

It was not until after the Lattimer tragedy that Mr. Mitchell arrived in the anthracite fields, and achieved his prominence there as organizer, later as President, of the United Mine Workers of America. By the year 1900 he had a strong membership; and this, together with the fact that a Presidential election was impending, made favorable conditions for a strike. The coal region was practically tied up. Demands, conferences with operators, conventions, followed one another in rapid succession; and, for a wonder, there was little violence at first. But the operators showed a surprising amount of courage; for weeks they would not give in—not even when they knew that possibly a Presidential

election hung in the balance; for, of course, a large section of the press tried to make political capital of the affair. Mr. Mitchell conducted his end of the strike in such a way as to compel admiration, all the time counselling peace and moderation. But at this juncture there appeared in the Hazleton region a gray-haired woman, since known to fame as "Mother" Jones, and she supplied the spark that was necessary to start the rioting, create a reign of terror, call out the troops once more, and finally have the operators consent to a compromise on the eve of the election of President McKinley. While Mr. Mitchell was visiting one point after another, all over the region, consulting with his general staff, directing the campaign in every possible way, and assuring the reporters that his men must and would preserve law and order, and refrain from violence, "Mother" Jones was going from village to village making wild harangues, working her hearers up to a point of high excitement, and leading mobs of half-frenzied women and girls on wild moonlight raids through the woods, from patch to patch, terrorizing the wives of non-union miners so that their husbands could get no peace at home until they joined Mr. Mitchell's organization. If you have ever seen a mob of these desperate "Amazons of the Coal Regions," as they have been fancifully termed, you will understand that it is no child's play to oppose them. If you have any doubts in the matter, ask any coal-and-iron policeman to relate some of his experiences with them. That Mr. Mitchell employed the Jones woman to go out and make trouble, was generally disclaimed, at the time, by supporters of the United Mine Workers of America. And I am reasonably sure that the owners and operators of the mines did not bring her to the region, and pay her hotel bill and other expenses. It is possible, of course, that she came there of her own volition, and at her own expense, in a spirit of helpfulness and self-sacrifice. But I never heard that Mr. Mitchell repudiated her; and he certainly did not make her stop her harangues and raids through the country.

In due time, General Gobin and the National Guard again came rushing up the Lehigh Valley, to take charge of Mr. Mitchell's first spectacular anthracite strike. The troops, with headquarters at Shenandoah, found the inhabitants of the country reaping a whirlwind indeed. General Gobin was unable, even

with the large force at his command, to restore order. His cavalry rode hard and swiftly day and night over the mountains; his infantry patrolled villages and well-travelled roads. But riots and individual cases of outrage by the score were reported in remote localities. There was no let-up to the guerilla warfare; nor to Mr. Mitchell's public insistence that members of his union should preserve law and order; nor, by the same token, to "Mother" Jones's wild harangues at meeting after meeting of strikers and sympathizers. Meanwhile, cold weather was approaching; so was election day. A roar of indignation went up from the country over the scarcity and high prices of anthracite. Demagogue newspapers and demagogue politicians suppressed the truth as to violence, outrage, assault, murder, terrorism due to the strike, and launched their political batteries with telling effect at the mine owners and operators, whom they alleged to be engaged in a remorseless conspiracy to make serfs of the mine-workers, to grind their faces in the dust, to place on them the shackles of industrial slavery. And Mr. Mitchell, marvellously calm and self-contained in the storm-centre of it all, kept up the courage of his men, refusing to forego a point or sue for peace. Then suddenly, a few days before President McKinley's election, the strike was declared off, order was restored, the troops went home, and coal-mining was resumed. Friends of the mine owners and operators did not hesitate to assert that extreme political pressure forced a yielding to Mr. Mitchell's demands. At any rate, it was Mr. Mitchell's followers, not the operators, who seemed to be particularly happy over the outcome; and, because of this victory against tremendous odds, the United Mine Workers had a large and loyal membership in 1902, when Mr. Mitchell assumed the responsibility of conducting his second anthracite strike, which all of us recall with a shiver.

This time violence and outrage were long continued, and for the reason that among the sheriffs of the anthracite counties there was none courageous enough to defy the labor vote, and call for troops, until rioting had assumed the proportions of an insurrection. The Governor of Pennsylvania cannot send troops to a county where disorder prevails, unless the sheriff thereof confesses his inability to maintain law and order, and asks for military assistance. The coal-region sheriff who has any regard for a political future (or any other career, for that matter)

knows that his business is to keep the National Guard as far away from his territory as possible; and he will do almost anything rather than call on Harrisburg for help. Matters went from bad to worse in 1902, until, finally, the Governor sent the entire National Guard of the State—infantry, cavalry, artillery, an army of some ten thousand men—to put down the insurrection. And after he had this army in the field (General Gobin testified later), it was literally unable to cope with the situation.

All this may seem ancient history; but the point I wish to bring out is that, during the anthracite strike of 1897, the mine-workers learned that they had nothing to fear from local police, and very little from county officials.* They stopped rioting not because their leaders told them to, but because General Gobin and the troops arrived on the scene a few hours after the Lattimer affair. The next thing they learned was that in a national exigency political pressure could be brought to bear on the operators, when nothing else would force them to yield. This was in 1900. Finally, in 1902, the anthracite-mine workers learned, to their unbounded satisfaction, that the entire military force of the State of Pennsylvania was unable to control riotous conditions attendant upon their strike; that neither they nor their leader would be called upon to take any consequences of wholesale rioting. They learned that, realizing the inefficiency of the government of Pennsylvania, the President of the United States felt there was only one way to end a situation that literally was "intolerable" to a large proportion of the American people. Therefore, in 1902, an armistice was accepted by Mr. Mitchell; rioting and minor disorders ceased; and the manager of the strike went to Washington, in his capacity of plenipotentiary, to talk over a possible treaty of peace with envoys representing the mine owners and operators.

The important thing to be noted right here—to have a large pin stuck in it for future reference—is the fact that *rioting, assault, intimidation, throughout the entire anthracite region, ceased when Mr. Mitchell agreed to a truce pending arrangements for a treaty of peace.* Comment on this would be superfluous.

* It will be a long, long time before another sheriff's posse fires on a mob of rioters in Pennsylvania. Future deputy sheriffs will have no earnest desire to be tried for murder, as were Martin's men, even with chances of acquittal in their favor.

In spite of the enormous funds in his treasury, and in spite of contributions obtained through systematic solicitation by Mr. Mitchell's representatives in many cities and towns, there is not the slightest question that the strike of 1902 would have been adjusted long before cold weather, had it not been for the violence and disorder that terrorized miners and laborers alike who wanted to work right along in support of their families. I have no hesitancy in declaring, from the point of view of a disinterested observer, that a general strike in the anthracite region could not by any possibility last longer than three or four months, provided law and order were maintained, and secret terrorism prevented. That is the kernel of the whole matter, and it is patent to every one who personally knows the conditions prevailing in the anthracite fields. Furthermore, there is no question whatever that a strong, sanely managed labor-union is, in the long run, necessary to the peace, prosperity, and liberties of the mine-workers. Unlimited power on the part of operators—unlimited power in any hands—cannot but result in oppression and injustice. Not merely the mine-workers, but every American, would be the better off if Mr. Mitchell's union were conducted with real intelligence, wise moderation, due regard for law, and for the public opinion that creates law. The United Mine Workers of America would be a powerful agent in our civilization if it substituted business acumen, skilful diplomacy, fair dealing with employers and with the public, for the strikes and resulting violence and general suffering which have made it despised and heartily hated throughout the country, even by those who are afraid to express openly their real feeling in the matter.

At the present time, according to despatches from Tamaqua and Shamokin, Mr. Mitchell, as President of the United Mine Workers, is covertly threatening, by means of a strike next year, to seize us by the throat, and choke us until—when we can stand the pressure no longer—we force the mine owners and operators to submit to his demands. His demands, or some of them, may be fair and just; but, if he wants to make people believe that they are, he needs to cease his threats instantly, and propose a settlement of all questions involved through a board of arbitration. In the court of last resort, that of public opinion, the counsellor who has fairness and right on his side does not find it necessary or desirable to appear with bowie-knives and revolvers

bristling in his belt. According to the Tamaqua despatch, Mr. Mitchell asks for a working-day of eight hours, which may or may not be reasonable. And he also demands that no man be permitted to earn a living for himself and his family in the anthracite mining industry, *unless he is a member of Mr. Mitchell's organization* and contributes to its finances. If Mr. Mitchell would devote as much time and money to making his union attractive, and valuable and respected, as in conducting strikes, he simply couldn't keep mine-workers out of it. They would flock to his banner from foreman to driver-boy and slate-picker—every one of them; and the public, as well as they, would be all the better for it. Instead of expending $2,400,000 in a disastrous war, like that of 1902, low rates of insurance could be given to the members, libraries could be maintained, lecture-courses and other entertainments provided, sick-benefit funds and better schools established. If the United Mine Workers of America were that kind of an organization, its power and influence would be inestimable, irresistible. It could get anything in reason that it asked of the operators; for it would be upheld, supported, endorsed, by the entire Nation.

During his personally conducted anthracite strikes, Mr. Mitchell has seen one of the most populous regions of the United States undergo industrial paralysis for months at a time; a multitude of women and children without sufficient food, clothing, medicines; hundreds of fathers unable to pay rent for their little homes; troops by the thousand, five thousand, ten thousand, thrown into the field in a vain effort to end pandemonium and restore American liberty with arguments of lead and cold steel; millions of innocent people, from Detroit to the Atlantic seaboard, suffering seriously because they were deprived of fuel. And no man can tell how many of the aged, feeble, frail, died as a direct result of his strike of 1902.

Brave, indeed, or reckless beyond comprehension, or drunk with lust of power, must be the man who, knowing the conditions, would dare to order or manage another anthracite strike, unless those who blindly follow him are in direst distress, in perilous extremity from which there is no other possible escape!

HENRY EDWARD ROOD.

WORLD-POLITICS.

LONDON: ST. PETERSBURG: PARIS: WASHINGTON.

LONDON, *September, 1905.*

FOR the conclusion of peace between Russia and Japan England, like all Europe, gives the first praise to Mr. Roosevelt. He has added immeasurably to an international reputation that was already greater than had been won by any American President of the past, except Washington and Lincoln. His position is now unique among the statesmen of the world—unique, because he is not more widely admired than trusted. There is another great ruler, not less individual than Mr. Roosevelt, endowed like him with many and splendid gifts, of equal range if of slightly inferior solidity, and with a temperament as generous and tingling as the President's own. Yet even those who are most appreciative of the Kaiser's personality cannot blind themselves to the occasional demerits of his policy, cannot say that the surprises he springs upon the world are always pleasant ones, and cannot always rank his influence among those whose tendencies, in Kant's expressive formula, lie in the moral rather than the pathological direction. But in Mr. Roosevelt's case there is not, happily, one opinion of his qualities and another of the uses to which he puts them. Both as a man and a President, he has succeeded in winning the unstinted confidence of rulers and peoples alike; and confidence has now been reenforced and buttressed by a profound sense of gratitude. I doubt whether any statesman has ever received so universal a tribute of thankfulness and regard as flowed to Mr. Roosevelt from the very heart of humanity on that memorable day when peace became assured. Nobody in England grudged Americans their boast that the peace was Mr. Roosevelt's peace. It was he who organized it; it was he, again, at a desperate moment, who preserved it.

As to the peace itself, England's first impression, like Japan's, was one of disappointment and surprise. It had been grasped by few that the Tsar, the head of a military Empire, could not, if he still retained any care for the security either of his person or of his dynasty, pay an indemnity while he still had an army of half a million men in being. Few had understood that for a Tsar under such circumstances to submit to this last indignity of defeat would be almost the equivalent of abdication. Few, too, had realized that the Tsardom was far from being at the end of its resources and that its powers of resistance, though taxed, were not yet within measurable distance of collapse. Few also perceived that the Japanese successes, decisive as they were, yet touched the real life and fortunes of the Russian people scarcely any more adversely than Magersfontein and Colenso touched the real life and fortunes of the British people; that Japan, in short, could not, unless she sent a fleet to the Baltic and bombarded and captured St. Petersburg, bring to bear the crucial and insistent pressure that can alone wring an indemnity from a beaten people; and that, though she might continue the war, and win more victories, and gain compensation in kind if not in cash, the cost of such efforts would be out of all proportion to their intrinsic value. The verbal theories and arguments for an indemnity had been reiterated time and again in every English journal; but the positive, impregnable and overwhelming facts against it had not been mastered either by England, or apparently by Japan, or by the world at large. There was, therefore, at first a feeling of vexed amazement when the terms of the peace were made known, and something more than a suspicion that the Japanese Plenipotentiaries had been outgeneralled. This feeling mingled with a hardly less unreasonable conviction that Japan had shown "magnanimity," when really she had shown the prudence which is the essence of statesmanship. The English press unanimously fell to praising her heart when they should have praised her head. The "Westminster Gazette" alone hit off the precise truth of the situation. It published a cartoon, drawn by Mr. F. C. Gould, who has a genius for politics as well as draughtsmanship, in which the shade of Bismarck was represented as addressing the Mikado with a dubious and puzzled air:—"So your Majesty has made peace without an indemnity!" "Yes, and without a *revanche*."

For the rest, British opinion has now come round to the more rational view that Japan secures from the peace not only every object which she set out to gain, but an Empire on the Asiatic mainland the possession and development of which must engross her activities, insure her prosperity, and satisfy her need for expansion for many generations to come. There is naturally a good deal of speculation on the durability of the peace. Has Russia, it is asked, really learned her lesson? Will she remain permanently content to be excluded from a warm-water outlet to the Pacific? Has the ambition and the dream of centuries been honestly renounced or will Russia begin at once to double-track the Siberian railroad from Moscow to Harbin in preparation for a fresh and mightier struggle twenty, thirty or forty years hence? No answer to such questions can at this moment be anything but tentative. But I think the general and reasoned disposition among Englishmen is to conclude that the peace is really durable for our time, if not for all time. There are many arguments to support this view. One is the reasonableness and the moderation of the peace itself. It leaves, so far as can be seen, no bone of contention behind; it positively paves the way for friendly cooperation. Another is the internal state of Russia, which, it is thought, will for many years make some contraction of her foreign activities inevitable. A third argument is that, having lost her only adequate naval base in the Far East, Russia can never hope to conquer Japan or to interrupt her communications with the mainland, and that any future war between them must, therefore, be, as this has been, a conflict between Little Russia and Big Japan. A fourth argument is that a further attempt to occupy Manchuria would involve a war not merely with Japan, but with China, too; and not with the China of to-day, but with a China whose armies had been reorganized and disciplined by Japan herself. For a Russian army to *march*—it could not be transported by railroad—through a Manchuria that was defended by half a million Chinamen, armed with modern weapons, trained by Japanese instructors, and fighting with the spirit they showed in the Taeping rebellion, would in itself be a most formidable adventure. But for that army, having accomplished this, to defeat the Japanese forces that would be hurled against it, to reach its objective—and it could have only one objective, Port Arthur—and to besiege and capture that fortress

when garrisoned by Japanese troops whose communications with their base of supply in Japan it would be impossible to cut—to suppose all this is, it is contended, simply to lose oneself in fantasies. England, in short, expects that Russia will accept the inevitable, will live on terms of amity with Japan, and will share with her in the peaceful task of developing the resources of Manchuria. That particular phase of the Far-Eastern problem which involved the question of Russia's or Japan's predominance is now, it is thought, finally settled—finally, I mean, as statesmen use the word.

With that result as its starting-point, opinion in this country proceeds along three main channels. In the first place Englishmen rejoice, for reasons that are ethical as well as political and commercial, that Japan and not Russia should be the Power to predominate at Peking and to hold the naval supremacy of the North Pacific. In the second place, Englishmen are relieved that Russia should at last have extricated herself from the Far-Eastern morass, and should be about to take up once more, though it may be only after a considerable interval and not in all her former strength, the place that belongs to her in the European system. It has been borne in upon this country by the incidents of the past few months that it is not a British interest that Russia should be weak in Europe; that the withdrawal or the diminution of her restraining power perilously disturbs the European equilibrium; and that an enfeebled Russia means a truculent and dictatorial Germany and an impotent France. There are at this moment some threatening clouds that can only be dispersed by the restoration of the Dual Alliance to its old and salutary effectiveness. And, in the third place, Englishmen are apprehensive that, hurled back from the Pacific, Russia may recoil upon the Persian Gulf or the Indian frontier in menacing force.

This brings me to the indirect, but exceedingly valuable, contribution which was made by England to the success of the peace negotiations. It was authoritatively announced on September 1st that Lord Lansdowne and Viscount Hayashi had, on August 12th, signed a new Anglo-Japanese Treaty of Alliance. (Some of the Liberal journals, by the way, have rightly noted that "it is in itself a somewhat severe comment on the democratic nature of our institutions that this instrument, which

commits the country to the most serious departure in foreign policy that this generation has witnessed, should have been concluded, without a word spoken about it in Parliament, by a Government which, there is every reason for thinking, does not command the confidence of the public." The point, as a matter of constitutional practice, is well made. All Englishmen know—but the knowledge does not disturb them—that the fiction of popular or even Parliamentary control over foreign policy must, to a great extent, remain a fiction; that Westminster hardly even attempts to supervise it any longer; that Ministries nowadays are never, or very rarely, imperilled by attacks on their diplomatic arrangements; that a few men still mould the destinies of the nation almost as decisively as they did one hundred and fifty years ago; and that in nothing have the speculations of Macaulay and Brougham and the other leaders of the great theoretical age of Liberalism been more completely falsified than in the failure of the Parliamentary system, even when stretched to the full, to do more than register the decisions of the Executive in matters of external policy.)

The terms of the new Treaty have not, as I write, been made public; but it is, I think, a safe assumption that they are a very considerable extension of the Agreement of 1902, and that for the next ten or twelve years Great Britain and Japan for all Asiatic purposes of a defensive character will be one Power. The Asiatic possessions of each are henceforward, it is believed, guaranteed by the military and naval forces of both. The new Alliance will, in all probability, be found to uphold the commercial and political interests of every Power that is not avowedly bent on disturbing the *status quo* in the Far East. It is hoped that it will not merely preserve China against encroachment from without, but may prove the nucleus of a pacific league that will counteract, if not completely arrest, the international rivalries that have for too long centred on the Far East. If this surmise of its scope and duration is even approximately correct, it is clear that the new Alliance completely guarantees Japan's hard-won security and sets the seal of finality upon the terms of the Treaty of Portsmouth; and that, knowing this, the statesmen of Tokyo were able to make concessions to St. Petersburg that otherwise they would have been obliged to withhold. Perhaps it is not going too far to assert that the new Alliance was the principal

factor in bringing about peace. Peace is, indeed, its sole object —a peace that will extend from the Persian Gulf to the Yellow Sea and unite Great Britain and Japan as much for the guardianship of the Indian frontier as for the protection, let us say, of Peking.

Obviously, an Alliance that is framed, or is supposed to be framed, for such vast purposes as these must raise many serious questions. What, for instance, is likely to be its effect on native Indian opinion? Will it be construed as a confession that we of England are unequal to the task of defending single-handed the Northwest Frontier against all comers? What again is likely to be its effect on England herself? She has recently been assured by her Prime Minister that she cannot be invaded. If she is now assured that her weakest spot is fully protected and that the greatest danger that threatens her Empire is removed, will she not, in her fatal complacency, be lulled again into that military stupor from which of late, after an infinity of prodding, she has shown a few faint signs of awaking? Moreover, there is the reflex action of the Alliance upon the relations of England and the other Powers that have possessions in the Far East to be thought of—particularly, of course, the relations of England and Russia. If the new Treaty proves to bear out its forecasts, Englishmen generally will regard it as a sort of lightning-conductor to pass on the shock of Russia's recoil from the Indian frontier and the Persian Gulf to Constantinople and the Bosporus.

Once they are relieved from anxiety on the score of India, they will hasten, let me add, to conclude, if possible, a *rapprochement* with Russia. For three reasons. One is that they realize, as I have said, that it is not to British interests that Russia should be weak in Europe. The second is that they are desirous of cementing their friendship with France by extending it to include the ally of France. The third reason is that they regard the uses to which Germany has already put, and the still further uses to which she may be tempted to put, her present diplomatic freedom as little less than a menace to European peace. It may, therefore, be possible for some future historian to date a new and happier era in Anglo-Russian relations from the Treaty of Portsmouth and the conclusion of the Anglo-Japanese Alliance.

THE international play in the last act of the modern world-tragedy, as seen by well-informed Russians, had two parts, of which the first, ending in the decision to call a Peace Conference, may be termed introductory and had for its visible *dramatis personae* President Roosevelt and Count Lamsdorff; while the second began with Witté's departure from Europe, ended with the Treaty of Portsmouth, and was played by a number of actors some of whose rôles and even names are still undivulged.

At present, we must begin the story with a well-merited tribute to President Roosevelt's splendid moral courage and unflagging energy, without which the effusion of human blood in the Manchurian millet-fields would have gone on for many a month unchecked. His mediation was an act involving a degree of courage almost heroic; and, for that very reason, public opinion in the United States wavered and hesitated whether to praise or blame it. In either case, it seemed a matter for superlatives, for the President's move was either a splendid deed of daring or a lamentable act of temerity. In neither case, however, had it the approval of professional diplomatists, whose traditional forms it laughed to scorn. Moreover, after the public and repeated declarations of the Russian Government, a brusque and brutal refusal was more likely than even cold assent. "Look after your own affairs and leave us to mind ours" is the gist of the reply that might have been apprehended. And then? But Mr. Roosevelt knew the Governments with which he was dealing.

The Mikado's advisers could not well refuse the President's invitation without forfeiting the sympathies of the American people, which Japan had worked so long and so strenuously to acquire. Besides, Japan could not decline any such proposal by whomsoever made without contradicting herself. It was her contention that she had been forced into the war; and it was her boast that she was at all times ready to make peace on terms that were reasonable.

Russia, too, had ample motives to close with the proposal. Since the Hague Conference she has had a name to live up to. She cannot play the part of the mere mile-stone, which points out to others the way they should go but itself remains where it is. But neither could she afford to incur the animosity of

the people of the United States, with whom were the nations, virtually, of all Europe. And there was still another and a very powerful motive at work. The Russian Government was painfully conscious that it had neither hindered nor modified the ideas and strivings prevalent in St. Petersburg and Moscow and elsewhere in the Empire about the war, and it was hopeful that the President's invitation would offer the needed opportunity.

Count Lamsdorff who had the matter in his hands viewed it from the domestic angle of vision. The proposed peace was to be used to strengthen the party of war; enthusiasm was to be roused among the masses; and the impossibility of ending the campaign was to be clearly demonstrated. Then the campaign was to be prosecuted vigorously. Count Lamsdorff formulated the problem thus: Not to accept the Conference would be to lay Russia open to severe criticism, and quite needlessly. For, on the one hand, as the Government would remain free at any moment to break off the negotiations, the Conference would be powerless of itself to stop the war; and, on the other hand, as the envoys' labors would finally end in smoke, Russia could afford to appear generous without sacrificing anything, and might then lay the blame for failure on the shoulders of Japan. Russia might then say: "You see, we truly wanted peace and, if we failed to get it, Japan's obstinacy is to blame and her exorbitant terms." But Europe would never have believed such a statement, the reader may urge. And the objection is real. Neither Europe nor any other country would have credited it. But then it would have been made, like so many other official communications, not for foreigners but for Russia's own people. If they accepted it, their sympathies might yet be won over and the war become popular.

Consequently, the aim and object of the Russian Government, in assenting to Mr. Roosevelt's proposal to send delegates to the United States in order to discuss the terms of peace, was primarily to create an effective apparatus for the purpose of rendering the war against Japan popular in the country. And it was in order that this aim should be compassed that the first part of the drama was played.

The second act was ushered in by the selection of delegates to represent the two belligerents at Portsmouth. For Japan, this was an easy matter enough, because she had won all battles

by sea and on land. Still, the number of candidates for nomination among the Mikado's subjects was limited. Thus, the Marquis Ito, as Russians believe,* refused to accept the mission, and Baron Komura came in his place.

The Tsar experienced much more difficulty in effecting a choice. For Japan, if not a victor, had at least won all the battles; and Russia, if not utterly beaten, had been driven with slaughter from all her positions. Hence the task of the Tsar's plenipotentiary was, to put it mildly, arduous and unenviable. And the conditions prevailing in St. Petersburg made it much more so; for, while the official envoy would be expected to act in his country's interests, irrespective of his own reputation and everything else, the Government in St. Petersburg would, when necessary, play for its own hand as well, and disavow him if needs were. Nobody, therefore, expressed or felt surprise when the professional diplomats selected by Nicholas II suddenly fell ill.

Then and only then did his Majesty depute Sergius Witté. At first, people thought that Witté would imitate Muravieff and Nelidoff and ask to be excused on the ground of ill health. He certainly would have done so, if he had shaped his action in accordance with his own interests. For he knew, as indeed everybody knew, that not only was the task beset with difficulties, but that it abounded in snares. Moreover, whatever the upshot, the Government was resolved to bear no responsibility for complete or partial failure, and to share with no one the credit of success. In the latter case, it would be said that the plenipotentiary merely carried out the instructions given to him by his Government; while, if the peace terms proved unpopular, Witté would have been thrown to the wild animals.

But patriotic considerations moved the President of the Committee of Ministers to undertake the work. "Patriotic motives," M. Witté calls them, and they were certainly that; but they were also reinforced by the consciousness of his own independence. He had long before severed the bonds that linked him to the Government, and had struck out a course of his own which he persevered in because he believed it to be helpful to his country and his people; and events had amply justified his ideas. Therefore, he was ready to repeat the experiment. He accepted the nomination and started for the United States.

* The writer of this letter does not share this belief.

Henceforward, then, the scene was occupied by Witté and Komura. Behind the scene stood President Roosevelt and, in the clouds, as *Dei ex machina,* the heads of the Russian and Japanese Governments.

To Mr. Roosevelt the world in general and the two belligerent nations in particular owe a debt of lasting gratitude, the extent of which is not even suspected. He undertook more than most people knew of; he discharged his self-appointed task more efficiently than any one acquainted with the conditions could have believed possible, and he deserves a much greater degree of credit for the conclusion of the peace than he is likely ever to receive or is willing to accept. That view, however, is not Russia's; it is but the deliberate opinion of the writer of this letter, who has formed it on the basis of a full knowledge of the leading facts. Good Russians, on the other hand, hold that the President's admirable work ceased with the creation of the Conference. Once the envoys came together, his enterprise fell off and success failed him altogether. The final result, peace with Japan, was therefore attained by others.

The firm conviction of those Russians who, regarding peace as a blessing, are unacquainted with certain aspects of the struggle by means of which it was won, is that credit for the achievement is due exclusively to Sergius Witté. His diplomacy worked the miracle. In this, as in every theory which obtains a firm hold over men's minds, there is certainly an ingredient of truth. Witté did unquestionably create an atmosphere without which the needful concessions would never have been granted by the Tsar. He cleared the ground for Roosevelt and for the wholesome whiff of public opinion which the President let loose against the secular court prejudices. The atmosphere created by Witté neither involved a vital concession nor ensured peace. But, on the other hand, the great event which the world has hardly yet ceased to applaud could not have taken place at all unless the surroundings were favorable; and, of these surroundings, some include a number of conditions independent of the human control which we generally class together as "chance," while others were the result of a deliberate and clever scheme conceived and executed by the Tsar's plenipotentiary.

Witté's first move was to convince everybody that peace was impossible. And, judging by the temper of the two Governments,

it was not only impossible but inconceivable. For they were both convinced that, if their respective armies had but a few months longer to operate, they would work wonders and create a wholly new basis for peace negotiations. Linievitch, Kuropatkin, Mishchenko and all the principal officers of the Russian army had, over and over again, written or telegraphed to the Tsar in that sense. And Nicholas II was certain they were right, and equally certain that it was his duty and his interest to give them the additional time for which they were craving and to go on with the war. And ethics? Nothing could be more ethical than that, his advisers urged. For it would mean permanent peace, whereas war without decisive victories would be at best a mere truce.

Witté compelled his own Government first, and most other people as well, to feel that peace under such conditions was not only impossible but undesirable. And when the Tsar, Count Lamsdorff and the politicians of the United States had acquired this conviction, they naturally imparted it to the Japanese. That was the first and principal step taken by Witté.

Now, the results of that "atmosphere," as it has been aptly termed, were peculiarly favorable to negotiations between the plenipotentiaries, for it rendered possible concessions which, under any other conditions, would have been beyond the reach of the most clever diplomatist. Confident that the war would go on, the Russian Government ceased to be chary of concessions which after all meant nothing and bound nobody. What Witté said, expressly or emphatically, was: "Show the world that you are conciliatory by giving all the concessions you possibly can, because that will enable you to convince the masses in Russia that the Japanese are to blame, not we." With that motive to push them, the Russian Government ceded on many points on which they would have otherwise stood firm.

The press, convinced that the campaign would be continued and that the Conference was but wasted breath, made persevering and strenuous efforts to coax or shame each side into meeting the other half-way. And, as soon as Russia had hurried through the eight clauses, relatively non-contentious, of the Japanese demands, politicians in the States began to say that Russia had shown herself very generous, and that it was Japan's turn now; and men of prominence who had invariably been admirers and friends of the Japanese gave it as their opinion that the Mikado

must make a supplementary sacrifice for peace, and that he could well do this without serious money losses or diminution of prestige. And Japan, who began to fear that Russia was playing to the gallery only and was resolved not to make peace at all, showed herself less uncompromising than before. But, when it began to become apparent that, perhaps after all, peace was probable, it was, of course, too late to take back what had been ceded. At the same time Witté cultivated the press. He chatted familiarly with newspaper men, took some of them into his confidence, won the sympathies of the American people and moved every wheel of the machinery of journalism. The advantages he reaped from this side were very considerable: public opinion was mobilized against Japan, who had condemned herself to silence during the time when silence was leaden and speech was golden. Some people said she was conceited and aggressive; others called her avaricious. It was this public opinion which moved Japan to withdraw her money claim.

By their self-denying ordinance not to take the press into their counsels the Japanese threw away one of their most effective weapons. It seemed a splendid spectacle, however, that of a nation's representatives calmly sacrificing the interests of their people to a stipulation which everybody looked upon as meaningless. "Better lose half the island of Saghalin than give an interview and break our word," one of the envoys is rumored to have exclaimed. And it would have been a spectacle worthy of the very gods if the Mikado's envoys had, indeed, held out to the last. Unhappily, they faltered at the decisive moment: they both gave interviews to one or more newspaper correspondents, by which, however, they gained nothing, explained nothing, yet lost the prestige which they had so laboriously acquired.

Another subject of reproach which has been made against the Japanese was their attitude on the indemnity. To give up the money claim in deference to public opinion was an act of statesmanship, the wisdom of which cannot be called in question. The Mikado undoubtedly did the right thing. But was it at the right moment? Here opinions may differ. But, when all the facts are finally known, it will be seen that the time was ill chosen. For what many people said, when the news first reached the outside world, was that it was the Japanese and not the Russians who had been bluffing. If they intended, as they must

have done from the very outset, to withdraw the money claim, why, it may be asked, did they allow their own people firmly to believe that a war indemnity was and would remain an integral part of the peace terms, and why did they permit the envoys to declare solemnly and emphatically that it constituted part of the "irreducible minimum"? To these questions there is an answer, but the world may not consider it satisfactory.

When the money claim was suddenly withdrawn and peace assured, the Russian Government showed no joy, no satisfaction. On the contrary, they waited for two days before making any sign whatever. For over forty-eight hours the world remained in suspense; nobody knew what the Tsar's advisers felt and thought. The Tsar himself offered no congratulations to Witté. Then, for the first time, the thought occurred to many that the Russian plenipotentiaries had, indeed, made peace on their own responsibility and while disregarding their official instructions. Those who were best acquainted with M. Witté asserted that nothing was more likely than that; and they added that, if this surmise should prove to be correct, Sergius Witté on his return to his own country would be quietly relegated to private life, or at all events "permitted to take a long holiday abroad," in which case we shall hear of him wintering in Rome, Florence or Naples.

PARIS, *September, 1905.*

A FEW years ago, in the obscure town of Auxerre, an unknown teacher, M. Hervé, used to write for a Socialist rag anti-militarist ranting which nobody read. One morning some petty scandal gave him an occasion of saying that two officers in the garrison had dragged the French flag in the mud. The rival Auxerre paper denounced this blasphemy, accusing M. Hervé of writing that the French flag rose from dirt. In a few days universal indignation prevailed throughout the press, and M. Hervé became as celebrated as if he had set fire to the temple at Ephesus. Seeing his opportunity, the bold professor sought a wider field and came to Paris, where he started a violent magazine destined above all for schoolmasters, and penned a History of France for the use of schoolboys, the spirit of which was anything but patriotic, and to which I shall have to advert later. M. Hervé rose in the estimation of the Socialist "comrades" with extraor-

dinary rapidity. He spoke at every meeting, became editor of another paper, and was elected a member of the highest councils.

When the presence of the Kaiser at Tangier and his Moroccan statements had to be construed by everybody as a threat, M. Jaurès in the "*Humanité*" and M. Hervé in the "*Avant-Garde*" gave two very different notes. The former said in a dignified and melancholy tone that, if France were to be attacked, the whole nation would rise in arms, as if the Socialist dream of disarmament already were a reality, and every citizen a soldier for life. M. Hervé chose a higher position, declaring that war—defensive as well as aggressive—was stupidity and barbarity, and that, in the event of a German invasion, the reservists ought to "strike." M. Hervé, further, pointed out with characteristic indiscipline what he called the inconsistency of his chief, M. Jaurès. Under no circumstances, he insisted, was any form of war reconcilable with Socialist principles.

The reader should be informed that the various Socialist groups had been unified under one Supreme Council when the "*Humanité*" and the "*Avant-Garde*" were expressing such divergent views, and that of the Supreme Council M. Jaurès was President and M. Hervé a private, though highly influential, member. Several Socialists who had made their mark in Parliament called upon the responsible President altogether to disown M. Hervé's principles, adding that they refused to be "unified" with a man to whom Socialism meant a repudiation of every national feeling. Strange to say, M. Jaurès, after a few days' visible wavering, preferred siding with the man who attacked rather than with those who defended him, and would rather bear the secession of such men as MM. Gérault-Richard, Clovis Hugues, Augagneur, etc., than do without the compromising assistance of M. Hervé.

As is natural with the thoroughbred Radical, M. Hervé evinced no gratitude for this treatment, and went on sneeringly trying to bring his superior to a sense of consistency. Besides a great many general arguments which he found to hand in the Socialist doctrine, M. Hervé unearthed one of a more individual character, and more likely to tell in a controversy of this kind. Some fifteen years ago, M. Jaurès had said in a public letter to the Italian Deputy, Andrea Costa, that the Triple Alliance was an excellent make-weight for French chauvinism, and he was now reminded of

his opinion of those days. From that moment, the editor of the "*Humanité*" agreed that war ought not to be countenanced on any account, that the patriotic idea, rightly understood, never involved it, and he began to defend this position against M. Clémenceau, whose keen, incisive wit compels him, day after day, to see that it is untenable. Shortly after, M. Jaurès made up his mind to fly where the diplomacy of M. Rouvier was creeping, and announced his intention of delivering in Berlin a speech which would preclude all possibility of a war now. This oration was never delivered; but, as it had been written, it soon appeared in print, and we know its main contention. People who hear of M. Jaurès exclusively as the leader of a party that ruled France for seven years and an orator of exceptional power, will be amazed at finding that this thesis, which was to keep war off, can be summed up in the very trivial proposition that "England, France and Germany, being the three brightest lights of the world, *cannot* make war on one another."

The circumstances which prevented Jaurès from delivering this astounding piece of political eloquence are well known.

The German Chancellor, Count von Bülow, thought it safer to have M. Jaurès as an ally in Paris than in Berlin, but his desire was imparted to the Socialist orator with a courtesy excessive even in a German addressing a Frenchman. The communication took the shape of a real diplomatic note and passed immediately from the German Ambassador to M. Jaurès. The Chancellor said that he appreciated M. Jaurès's opinions on foreign politics and often agreed with them. He had also pleasure in acknowledging his endeavors towards an *entente* between Germany and France. His objection to the delivery of the lecture, therefore, did not lie in the speaker, but exclusively in the hearers. As the opinions of the German Socialists do not materially differ from those of their brethren of France, we ought to conclude that M. Jaurès is looked upon as useful in France only because he would be obnoxious in Germany. In fact, it is not merely because the editor of the "*Humanité*" gives us *bravuras* on universal peace that the German authorities make so much of him. Certainly, M. Jaurès's efforts to weaken national feeling must, in the long run, prove advantageous to Germany, but his votes in the Chamber against all military expenses are a help of immediate effect, and if Count von Bülow has a

sense of humor, he must with difficulty have suppressed a smile when writing that he "appreciated M. Jaurès's views on foreign questions."

These compliments from the grand vizier of a monarch not to be accused of democratic tendencies have evidently warmed the heart of M. Jaurès, who faces his many assailants with more serenity than ever. He is at present engaged in the discussion of a definition of patriotism by a Paris schoolmaster, M. Bocquillon, which I will quote to enable the reader to judge for himself. To M. Bocquillon, warmly backed by M. Clémenceau, patriotism consists in "a passionate preference for one's country." M. Jaurès will have it that preference for one's country involves some degree of contempt for other lands, which, of course, means barbarity. Both the schoolmaster and M. Clémenceau handle him roughly for advocating patriotism without preference, that is to say, indifferent patriotism, but he takes comfort in the thought that he is several hundred years in advance of his opponents.

The rather unexpected intrusion of a schoolmaster in a purely ideal conflict will be accounted for by a few details which I will now give concerning the antipatriotic campaign in the schools.

I have said above that, on his arrival in Paris, M. Hervé had edited a magazine for schoolmasters and written a History of France for the elementary schools. Both the magazine and the History were good instances of the spirit which a strong party of theorists are endeavoring, with considerable success, to instil into the rising generation. This spirit is made up of antipatriotic Socialism and wholesale hatred of Christianity.

The anti-Christian campaign began under Jules Ferry some twenty-five years ago, when all the schools became undenominational. For the religious teaching which had been so far given to the schoolboys some substitute was found necessary. Men of such intellectual value as Paul Bert and M. Compayré set to work on text-books of civic morals likely to do duty instead of the banished Catechism. They were spiritualists, and their chapter on the duties of man was based on a chapter on the rights of God. This position was almost immediately disputed. The Radicals of the day maintained that undenominationalism meant atheism, and insisted that the idea of God should be left out of the elementary books altogether. Some atheistic catechisms of

morals were immediately compiled, and the standard books altered so as to suit the new tendency. Now, it would appear that the antitheistic movement thus beginning about 1880 has been steadily going on. For we hear at present strong protests against the teaching of morals founded on the idea of duty, no matter how de-Christianized, and we witness an attempt to have Kantian replaced by purely Benthamite morals. The child must be taught only that if he does right he will be a gainer. Whatever other motive is proposed to him is tainted with superstition.

M. Hervé began his History of France at the year 1789, and of the previous centuries ignored everything except their abuses. This was called the republican view of history. There is also an enlightened—as compared with a barbarous—treatment of the history of France. It consists in suppressing, or branding as immoral and unworthy of a civilized country, whatever is inconsistent with the form of patriotism advocated by M. Jaurès. The Jaurès of the primary schools is a gentleman whose name, once familiar only to persons interested in education, has now become famous in Parliament and in political circles, I mean M. Buisson. A professor, later on an inspector and a high official in the Department of Education, M. Buisson has always appeared as a dreamer in theory and a dangerous reformer in practice. A superficial broad-mindedness, which he likes to play off has been found several times to be little better than pretence. A philosopher in his study, M. Buisson is a violent Socialist in the lobby of the Chamber. As long as he had the superintendence of the schools, he did his very best to propagate "enlightened" history. One can judge of the extent of his enlightenment by a rather striking instance. Everybody knows the heroic action of the brave chevalier, who, being sent out to reconnoitre at some battle during the Seven Years' War, was suddenly surrounded by a party of Prussians, and, instead of keeping silence, which would have saved his life, called out to the French and instantly fell under twenty bayonets. Finding in some school a picture of this scene, M. Buisson deprecated all exhibition of what he called a "bloody and murderous doing." War to him is inconsistent with any display of really virtuous feeling and averse to true patriotism. This conception has been acted upon, and we do not lack elementary books from which the military aspect of our history is entirely banished.

The question now arises whether this view has already had some effect. It is certainly improbable that the French army, still under the uncomfortable impression left by the campaign of delation, should show the spirit which insured the triumph of the ultra-patriotic Japanese soldiers. On the other hand, well-informed observers generally agree that even the Socialist workman, once in a regiment, becomes a tolerable soldier unless he is an active propagandist. The strike of reservists proposed by M. Hervé would attract few adherents from the active corps. Will the strike ever be attempted? Nobody would dare to answer in the negative. It is a fact, and a most ominous one, that the Socialist propaganda is wonderfully successful among schoolmasters; and, if everybody knows how fervid a patriot the French boy usually appeared under the old method, everybody must see that the contempt of the enlightened for the barbarous is contagious amongst youth, and promises a speedy decrease of what used to be called patriotism. All the younger teachers are Socialists and antipatriots. Every one of the five magazines they read is written in the internationalist spirit. In the last issue of that edited by M. Jaurès, the leader exultingly boasted that one out of four schoolmasters is an active Socialist preaching the abomination of war. This may partly be brag. Yet, if it were unfounded, we should not see five Socialist magazines widely circulated among schoolmasters, and we should not see such facts as the two lately recorded, viz: the teachers in the department of Deux-Sèvres establishing a syndicate and having it entered, like any other trade-union, at the Labor Exchange; and two hundred schoolmasters in the Lozère signing what purported to be a patriotic protest, but which spoke of such an unripe idea as that of the United States of Europe as being quite a possibility. M. Jaurès is probably right in believing that the pupils of such masters will be free from antiquated and barbarous fallacies, and one is probably right in supposing that soldiers devoid of the same will be more inclined to fight like old Horace, *relictâ non bene parmulâ,* than like the self-prejudiced Japanese under Port Arthur.

Certainly, there would have been less bewilderment in this country when war with Germany appeared probable, if the delation campaign had not revealed such political divisions between our soldiers as must unnerve the best armies. M. Combes's policy

of distrust against whomsoever demurred at his radicalism had spread everywhere, and made everybody suspicious of everybody else. This feeling of insecurity has luckily partly made room for one of relief and hopefulness, the rise and progress of which I will now trace.

The reader must remember that a real panic accompanied the retirement of M. Delcassé. For a few days the Minister was treated as a scapegoat, and nine papers out of ten seemed to understand the indignation of Germany against him. This feeling gradually subsided as M. Rouvier prolonged his diplomatic conversation with Prince Radolin; but the whole press retained its first impulse, blamed the policy of isolating Germany, and advised immediate adhesion to the principle of the Moroccan conference. However, a sense of humiliation underlay this cautious attitude, and its presence was made manifest in a solemn circumstance. When M. Rouvier appeared before the Chamber with the short note he had toiled for three weeks to have drawn up in its present state, peace being restored without any injury to our national dignity, it would have been natural that the approval of Parliament should be unrestrained. Yet the note was read and heard in chilly silence; and when a member of the Right, M. Denys Cochin, rose to contrast the awkward feeling he noticed in his colleagues with their enthusiasm at the Anglo-French arrangement, a year before, he was suffered to go on, and raised no protest in reminding the Chamber that M. Delcassé's policy had for many years appeared reasonable and had enjoyed real popularity. The discontent against M. Delcassé's action arose, not from the action itself, but from the danger it had unexpectedly entailed. A feeling of this sort can only be transient. For some weeks more, there prevailed in the press a repining tone against the compromising friendship of England; and I saw some table-talk of Lord Charles Beresford's naval officers at Algiers taken up as sharply as if it had been of diplomatic importance and as good as a treaty. Gradually this superficial grudge gave way in presence of significant events. Early in July, an interview of Admiral Skrydloff was translated from the "*Novosti*," regretting that Russia should have declined a Japanese alliance. On the 7th of the same month, the "*Berliner Tagblatt*" boldly printed the words "Franco-German *entente*," and this hurry in forcing one's friendship on those one was threatening

only the day before was thought bad form. The visit of the English fleet at Brest had a cheering effect, and the meeting of the Kaiser with the Tsar in Russian waters an alarming effect. In the mean time, one could not but notice the really admirable composure of the English press, in circumstances which could only be unpleasant to English opinion. At no moment would the leading English papers try to dissuade M. Rouvier from adhering to the conference. The result of this presence of mind was the enthusiastic outburst of confidence in the whole French press after the naval *fêtes* at Cowes and London. Such unanimity had never been seen before. Plainly the lurking fear that France might find herself fooled appears at present to be a child's terror, and the combination of interest and sympathy which insures a comparatively solid alliance is realized in the Anglo-French *entente*. It is needless to add that the idea of having the United States as a third party in it meets with no opponent.

This renewed feeling of security is largely due to M. Rouvier. The Premier, throughout the crisis, acted like a man. Though, above all, a financier and little acquainted with the niceties of foreign politics, he would not throw on other shoulders a burden from which he would have seemed to shrink, and began negotiating with a directness and outspokenness which betokened perfect honesty, and would have placed the Wilhelmstrasse in an awkward position if the German diplomacy had gone on insisting on impossible claims. It does not speak well for modern diplomacy that M. Rouvier's first question to Prince Radolin, What is to be the programme of the conference? should have been regarded as a move of exceptional cleverness.

On another occasion, which seems to have been little commented upon abroad, the Premier gave proof both of a shrewdness and energy which delighted this country, which is always ready to admire firmness in the Executive. On July 13th, a Bill of Amnesty was to be proposed to the Chamber. The Bill was couched, as usual, in impersonal legal language; but it concerned chiefly, on the one hand, Déroulède and the Nationalists banished six years ago, and on the other, the officers publicly convicted of delation and punished at the time of M. Combes's defeat. The Amnesty would probably have been unanimously granted but for the violent interference of a Nationalist, formerly in the army, M. Lasies. This gentleman protested at the beginning of the

sitting against the impropriety of mixing up in the same Parliamentary measure a man like Déroulède, who confessedly is the soul of honor, with the cowardly tell-tales repudiated by the army. These words roused a furious tempest on the Extreme Left; and M. Berteaux, the Minister of War, and the only very active Socialist in the Cabinet, left the Chamber with a threat to impugn the Amnesty which he had so far approved. This sudden division in the Government and the excitement of the Chamber threatened a crisis, and the Socialists did not conceal their delight at this state of affairs. M. Rouvier, who was in the Senate, blissfully ignorant of the tumult, was immediately summoned. In such a case, M. Combes would have resorted to his ordinary method of offering his instant resignation. M. Rouvier, during the twenty minutes or so which it took to drive from the Luxembourg to the Palais-Bourbon, devised another much more ingenious solution. The decree dismissing the Chamber had been signed the day before by President Loubet, and M. Rouvier happened to have it with him. He merely read it to the Deputies, some of whom were amazed, some enraged, most of them pleased. As to the difficulty arising from the failure to reach a decision as to the Amnesty, M. Rouvier turned it by an easy legal fiction, by granting a pardon instead of an amnesty.

On the whole, the situation of France, both at home and abroad, seems unquestionably better at present than it was nine months ago. The presence of M. Berteaux in the Cabinet remains a difficulty, for it will enable M. Guyot de Villeneuve soon to resume the publication of his *fiches;* and, certainly, M. Rouvier would have preferred another Minister of War. I even know for certain that he offered the portfolio of War to no less a person than M. Casimir-Périer, the ex-President of the Republic. But the Nationalist campaign against delation has lost a good deal of its interest, and the country as well as the Chamber will be mostly intent upon the election. In January, M. Loubet comes to the end of his mandate and will certainly not stand for election again, for he has already taken a quiet flat in the most quiet neighborhood of Notre-Dame, and in April the general election takes place. Of this I shall have occasion to speak again. As to the Presidential election, the only candidates so far are M. Combes and M. Fallières; but the recent election of M. Léon Bourgeois to the Senate promises a dangerous outsider.

WASHINGTON, *September, 1905.*

ONE can but recognize a ripe knowledge of human nature in the Roman custom which prescribed that, just behind an Imperator, as he rode up the *Via Sacra* in a triumphal car, should be stationed a slave to murmur, "Remember that thou, too, art mortal." That was as good a way as any of averting megalomania, and of appeasing the corrosive envy that dogs the footsteps of success. There are favorites of fortune, however, who need no admonition, and who, of their own motion, make a timely sacrifice to Nemesis. Had elation impelled Mr. Roosevelt to crown his double triumph at Portsmouth—we may fairly call it double, not only because he brought the belligerents together, but because it was he who ultimately brought them to accept terms long deemed inadmissible—with the prestige of convoking a second Peace Conference at The Hague, he would have run the risk of exciting a good deal of jealousy and detraction on the part of European sovereigns and statesmen. Who is this man, they might have said, confidentially if not openly, who, being the Chief Magistrate of a people which for a century has held itself ostentatiously aloof from non-American affairs, now puts himself forward in the rôle of Pacificator of Mankind? By what solid potentialities is his presumption backed? He has behind him a standing army not exceeding 60,000 men, and a navy, which, although efficient for its size, is outclassed by that of any of three European Powers. Why should we tolerate a self-complacency which has so meagre a basis of military or naval force, and which is beginning to look a good deal like impertinence? Between nations, as between individuals, there is such a thing as swagger and bounce. Why should we not discipline this young man by declining politely his invitation to a second conference at The Hague, and by intimating with due courtesy that, if he will confine himself to an observance of the restrictions of the Monroe Doctrine, we, on our part, will try to do the best we can to regulate the affairs of Europe.

Mr. Roosevelt, in this instance, might have been excused from a scrupulous consideration of foreign susceptibilities, and from an anxious and wary propitiation of Nemesis, because upwards of a year has elapsed, as it has happened, since the Interparliamentary Union strongly urged him to bring together the nations once more in war-ameliorating, if not also peace-pro-

moting, conference at The Hague. The President not only granted the request, but took measures through the State Department to sound the great Powers on the subject. All assented cordially to the suggestion except the two belligerents, who, reasonably enough, replied that for them, under existing circumstances, a Peace Congress was scarcely opportune. The proposal, therefore, came to nothing, but a first move had been made, and, such is the comity between nations that we may be sure that a second conference would not have been suggested by any other Power than the United States, had not Mr. Roosevelt distinctly intimated that, in his opinion, the Far-Eastern War having been concluded, the initiative would come more properly from the sovereign who is justly credited with the first meeting of peace-lovers at The Hague. Thus it has turned out that the very circumstances which seemed to have committed our Chief Magistrate to a possibly invidious assumption of moral hegemony have been so shrewdly turned to account that his real influence has been enhanced to an indefinite extent by the discreet eschewment of spectacular exhibition. All's well that ends well. The American President can now say with truth that his Administration has not an ill-wisher in Europe.

Whatever strengthens the respect felt for Mr. Roosevelt abroad must inevitably tighten his hold on the esteem and confidence of his fellow citizens at home. We have beheld of late what almost looked like the dawn of a period analogous to that extraordinary "era of good feeling" witnessed in 1820, when James Monroe was reelected President by every electoral vote save one. Many of the President's warmest admirers are to be found in the ranks of the Democratic party. The Progressive Republicans pin their faith on him. Even the determined opponents of railway rate-making and tariff revision dare not come out in the open and defy him, lest they succumb to an avalanche of public indignation and disgust. The most case-hardened, cynical and wily politicians must have observed, and when, like augurs, they come together in secret conclave, they must admit to each other *sotto voce,* that, whether it be due to fate, or luck, or to the man's own sagacity, somehow or other, no good is to be got out of opposing Mr. Roosevelt. The opponent himself or his programme is apt to come to grief. Politicians who, avowedly or secretly, have arrived at such a conviction are beaten before a

struggle begins. Their nerves are unstrung; their blood runs cold; they have, in a word, no stomach for the fight. There are already indications that the Stand-Patters and the Anti-Revisionists do not want to face Mr. Roosevelt in the field. They foresee that, certain as he is to control a large majority in the new House of Representatives, and almost equally certain to command in the Senate so large a Republican contingent as, joined with the Democrats, would carry through almost any legislation that should bear his stamp upon it, they may find it impracticable to cope with him directly. Such being their reluctant and unwelcome forecast of the situation, they apparently mean to risk an extremely dangerous manœuvre, that of executing a flank movement in the face of the enemy. They have let it be known, or guessed, that, before undertaking to tackle the President on what to them seem the vital questions of railway rate-making and tariff-revision, they will undertake to hamstring him, by holding up to public derision and rebuke the alleged mismanagement of the Panama Canal by the officials for whom he will be declared responsible. Now, it cannot be denied that $57,000,000, drawn from American taxpayers, have already been expended on the Panama Canal strip, while, although some three years have elapsed since the money was appropriated, no decision has as yet been reached even with regard to the type of waterway which is to be constructed. Here, at the first glance, seems to be a specious ground for animadversion. The more thoroughly, however, the facts are disclosed and discussed, the more difficult it may prove in the forum of public opinion to make the President personally accountable for the procrastination and inefficiency with which the Canal Commission has been charged. The Commission would remain to-day as it was originally constituted, if some of the politicians, who are now loudest in criticism of the lack of progress on the Isthmus, could have had their way. It was Mr. Roosevelt who, after other plans for assuring the exercise of more fruitful energy in the prosecution of the waterway, availed himself of the powers reserved to him under the law creating the Commission, and reorganized it from top to bottom. Nobody questions, so far as we know, the expert qualifications, the vigor, the determination or the trustworthiness, of the present Commissioners. They can be trusted to carry out with promptitude whatever type

of waterway—whether sea-level canal or lock canal—shall be ultimately selected; while, in order to aid them and the President in making the right choice, some of the most distinguished engineers in this country and in Europe have been called upon to form an advisory board, which, at the hour when we write, is sitting in Washington. After a preliminary examination of projects, all the consulting engineers and all the Commissioners are to be conveyed in a Government vessel to the Isthmus, where they will inspect the route of the Canal and the work already accomplished. There is reason to believe that, before the first regular session of the Fifty-ninth Congress begins, the consulting engineers will have agreed upon a plan, and, if this shall meet with the approval of the Commission and of the President, Congress will be asked to make the necessary appropriations.

One thing may be predicted with confidence, namely, that no preference for a route other than that which traverses the Panama strip and was adopted by the French Company, will be expressed by the advisory engineers or by the Commission. The advocacy of the Darien route, with its five-mile tunnel through rock, or of the Nicaragua route, is a waste of breath, in view of the fifty million dollars expended by the United States in the acquisition of certain territorial rights from the Republic of Panama, together with the franchises granted to the French corporation. Any who try to raise the fundamental question of route at this late day will expose themselves to the suspicion of being emissaries of the transcontinental railways, which want no canal at all. We may also take for granted, probably, that reasonable persons will not countenance an effort to thwart, by the withholding of appropriations, the execution of the plan which shall finally command the approval of the collective wisdom of experts. An endeavor practically to overrule on the floor of Congress a decision vouched for by the consensus of many scientific engineers would be looked upon as inspired by very questionable motives. We assume, then, that a flank attack on the President's prestige, through the imputation of incompetence to the present Canal Commissioners, is foredoomed to failure. The American people will expect those who desire to weaken the general trust in Mr. Roosevelt to show cause more relevant than the procrastination ascribed to former members of the Commission, who have been dismissed by the personal fiat of the Chief Magistrate.

CONTRIBUTORS TO THIS NUMBER.

F. DE MARTENS,

far-famed as one of the world's greatest authorities on international law, accompanied the Russian plenipotentiaries to the Peace Conference at Portsmouth in the capacity of counsellor and general adviser. He was one of the Russian delegates to the Peace Conference held at The Hague in 1899, which was called together by the Tsar, and he contributed to the REVIEW an interesting account of the labors of that historic international congress.

FREDERIC C. PENFIELD,

after graduating at Russell's Military School in New Haven, Connecticut, went to Germany to pursue a special course of study. On returning, he joined the editorial staff of the *Hartford Courant*. In 1885, he went to London as Vice-Consul-General, and in 1893 he was appointed Diplomatic Agent and Consul-General of the United States to Egypt, with rank of Minister Resident, a post which he retained for four years. Mr. Penfield's efficient services were widely recognized. He was decorated by the French Government with the Palms of the French Academy, the Grand Cross of the Order of the Medjidieh was conferred upon him by the Sultan of Turkey, the Khedive made him Grand Commander of the Order of the Osmanieh, and numerous other foreign orders were conferred upon him. In recognition of his vigorously advocating in the press that the American Government construct the canal at Panama, and abandon the Nicaraguan route, Mr. Penfield was made a member of the French Legion of Honor in January last. He recently passed several months in Japan and China.

ABRAM S. ISAACS

is a native of New York. He graduated at the New York University in 1871 and at the University of Breslau in 1878.

In 1885, he joined the teaching staff of the New York University as Professor of Hebrew, and later assumed also the duties of Professor of German. These chairs he occupied till 1895, when he became Professor of German Literature in the Post-graduate Department of the University. Professor Isaacs is rabbi of the Barnert Memorial Temple in Paterson, New Jersey. He is the author of a work entitled "Stories from the Rabbis."

Calvin Dill Wilson

was born in Baltimore, Maryland. After graduating at the Washington and Jefferson College in 1876, he studied theology for three years in the Western Theological Seminary. He has ministered, as pastor, to several Presbyterian churches—at Atglen, Pennsylvania, from 1879 to 1883; at Churchville, Maryland, from 1883 to 1893; at Franklin, Ohio, from 1893 to 1903; and in his present charge at Glendale, Ohio. He is a member of the Sons of the Revolution. Among his published works are "Bible Boys and Girls," "The Child's Don Quixote," "The Story of the Cid for Young People" and "The Flight of the Hebrews."

Brander Matthews

is one of the best known of living American authors. He was born in New Orleans in 1852, and studied at Columbia College, where he graduated in 1871. He was admitted to the New York bar, but he turned from law to literature, to which, for many years, he has devoted an indefatigable and versatile pen. In 1892, he was appointed Professor of Dramatic Literature in Columbia University.

Margaret Olivia (Mrs. Russell) Sage

is, on her father's side, a lineal descendant of Miles Standish, and, on her mother's side, of Colonel Henry Pierson, one of the founders of the common-school system of this country, and a brother of the first President of Yale College. She has long been conspicuous among American women for her good works. Her benefactions have been unstinted, and her executive ability in her public philanthropies has been everywhere recognized. She is officially connected with the Women's Christian Association, the Woman's Hospital, the Woman's Exchange, Home and Foreign Missions, besides other organizations, and she has for many years served the interests of these institutions with untiring fidelity.

C. F. Thwing

is a native of New Sharon, in the State of Maine. After preparatory studies at Phillips Academy, Andover, Mass., he went to Harvard, where he graduated in 1876, and, having completed a theological course at the Andover Theological Seminary, which subsequently conferred upon him the degrees of D.D. and LL.D., he was ordained to the ministry of the Congregational Church, in whose service he occupied pastorates in Cambridge, Mass., and Minneapolis, Minn. In 1890 he was appointed President of the Western Reserve University and Adelbert College, in Cleveland, Ohio. Dr. Thwing has published a large number of works on subjects connected with college education, among them being "American Colleges: Their Students and Work," "Within College Walls," "The College Woman," "The American College in American Life" and "College Administration."

John Ball Osborne,

Chief of the Bureau of Trade Relations in the State Department, and formerly Joint Secretary of the Reciprocity Commission, was appointed, a short time after graduating at Yale in 1889, United States Consul at Ghent, Belgium. He returned to America in 1894, and was admitted to the bar of Luzerne County, Pennsylvania, and to the Philadelphia bar, in 1895. He is a member of the Columbia Historical Society of Washington, of the Sons of the Revolution and of the Military Order of the Loyal Legion. He is the author of "The Story of Arlington," and he has frequently contributed articles on economic and general topics to the magazines and the weekly press.

Ion H. Perdicaris,

who became known to fame in May, 1904, when he was abducted from his country seat, "Aidonia," near Tangier, by the Kabyle chieftain, Raissuli, and held for ransom for five weeks till the Sultan granted his captor's terms, is an American citizen, born in 1840 at Athens, where his father held the post of Consul-General in Greece, under appointment from President Buchanan. The father, who had studied at Amherst College, and was afterwards a professor of Greek, married a lady from South Carolina, and became a prosperous merchant. Mr. Perdicaris himself, whose childhood was passed largely at Trenton, New Jersey, spent some time

at Harvard, and was afterwards an art student at Paris. For three years he lived in Italy, for twice as long a time in London, and then, after a brief sojourn in America, went to Morocco, and became so enamored of the country that he has lived there ever since—a period of thirty years or so. For a long while past, he has been chairman of the international committee that administers the local affairs of the city of Tangier.

J. Walter Lord,

a member of the Maryland bar, was educated at Princeton University and studied law at the Harvard Law School. He occupied a position in the Legal Department of the Baltimore and Ohio Railroad Company until 1901, when he became associated with a law firm of which the late John K. Cowen became a member on his retirement from the Presidency of the Baltimore and Ohio Railroad Company. For some time past, Mr. Lord has been the counsel of the Consolidation, Fairmont and Somerset Coal Companies; and, in the course of his professional duties, he has recently had occasion to study the legal phases of the pending question of railroad regulation.

L. F. Austin

was a member of the literary staff of the London "Daily Chronicle," and for a number of years enjoyed the intimate friendship of Sir Henry Irving. He wrote "Henry Irving: a Biographical Sketch," which he published under the pseudonym of "Frederic Daly." A singularly pathetic interest attaches to his article in this number. It was the Editor's intention, when Mr. Austin was requested to write the paper, to publish it on the occasion of Sir Henry Irving's projected visit to the United States next year. A short time after he had completed the article, he was seized with sudden illness, and passed away a few weeks before the lamented death of the illustrious subject of his study.

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THE PORTSMOUTH PEACE CONFERENCE.

BY F. DE MARTENS.

For five weeks the attention of the whole civilized world was centred on the little town of Portsmouth, New Hampshire, where had come together the representatives of the two great belligerent nations, Russia and Japan, whose mission was to endeavor to put an end to a destructive war which had been raging in the Far East for eighteen months. That all countries were interested in this meeting is easily understood, for the diplomatic negotiations were conducted in an absolutely exceptional manner and the objects at stake were far-reaching. It was evident to everybody that this conference was not only going to stop the war, but, at the same time, was to create a completely new state of things in the Far East. And a still further cause of interest in the reunion sprang from the world's admiration for the generous spirit of initiative shown by President Roosevelt, who had brought together the two warring peoples whose representatives were assembled on the hospitable shores of America for the purpose of making "a just and lasting peace."

On September 5th, the treaty of peace was concluded. It is quite evident that, at the present writing, before the ratification and promulgation of the act, it is not possible to give an exact

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and impartial opinion of the work accomplished at Portsmouth. Yet, because of the exceptional interest which the treaty has awakened, it may be well, even now, to try and throw some light on certain of its judicial and diplomatic bearings. But, in so doing, I ought to inform the reader at the very outset that he must not expect from me any revelations, concerning either the conduct of the diplomatic negotiations or the factors which finally brought about the conclusion of the treaty. I should like to present some observations on the exceptional circumstances under which the Portsmouth Conference worked and which nevertheless ended in the conclusion of a peace. Because of the great importance which precedent plays in diplomatic affairs, it has appeared to me absolutely necessary to point out the conflicts and misunderstandings which may arise at future conferences conducted on the lines followed by the representatives of Russia and Japan at Portsmouth.

Before taking up the question of the conduct of the negotiations at the Conference, I wish once more to dwell on the important bearing on this whole affair of President Roosevelt's acts.

Last May, the Chief Magistrate of the United States made known to the Emperor of Russia and the Emperor of Japan his sincere belief that the moment was come for the two belligerents to ask themselves the question whether it was not possible to put an end to the war and conclude peace. In some quarters, there was a disposition to look upon this initiative of the President as misplaced, if not quite contrary to all laws. It is my opinion, however, that this action of Mr. Roosevelt was absolutely in accord with the new and nobler ideas solemnly sanctioned by The Hague Conference of 1899. It was then and there that twenty-five Powers of Europe, America and Asia took upon themselves the moral engagement not to rebuff the good offices of a neutral State in the case of international conflicts. The American delegation to The Hague Conference proposed the idea that, when difficulties arose between nations, neutrals might be called upon to offer their good offices, in order to smooth away existing causes of dispute, and thus prevent war. The French delegation also developed the same proposition.

In view of these plain facts, it cannot be questioned that President Roosevelt's action was perfectly correct, based as it was not only on moral grounds, but also on solid legal grounds.

It should be furthermore noted that the initiative of the President of the United States was forthwith seconded by the Emperor of Germany, and by the general approval of all nations of the civilized world. Consequently, the generous action of President Roosevelt ought to be applauded, not only by the American people, but by the whole universe. And may I be permitted to express the hope that President Roosevelt's conduct may serve as a worthy example for others to follow?

In accordance with the proposal of President Roosevelt, Russia and Japan named their plenipotentiaries, who were sent to Portsmouth, and on August 10th began the negotiations between the two belligerent nations.

In order to comprehend the manner in which the negotiations at Portsmouth were conducted, and how the final result was obtained, it is indispensable to take into account all the exceptional circumstances under which those negotiations were carried on. Two circumstances especially had a decisive influence on the conduct of the business, viz., the fact that there was no armistice between the land and sea forces of the two belligerent nations at the moment of the opening of the Conference, and the complete ignorance in which everybody was kept concerning the conditions of peace which Japan intended to try to force Russia to accept. These two things played such an important part, that I think it necessary to devote a few words to their consideration.

I take up first the matter of the armistice, or rather the absence of an armistice. If one runs over the history of those diplomatic negotiations whose purpose it was to conclude a peace between two warring nations, it will be found that almost never have belligerent governments begun negotiations until military operations were first suspended. It might even be proclaimed as a recognized principle of international law that a suspension of arms, or an armistice, should always precede peace negotiations. Thus, if we examine the peace treaties since the beginning of the last century, we find that a truce was invariably declared before the diplomats came together.

In 1866 Austria and Prussia concluded to put an end to the war that had broken out between them in Bohemia. So the fighting was stopped while the *pourparlers* were in operation at Nikolsburg. When in February, 1871, Thiers and Jules Favre went to Ferrières to consult with Count Bismarck about the

possibility of peace between France and Germany, an armistice was the preliminary condition for the meeting of the negotiators who later drew up the preliminary treaty of peace at Versailles. The same rule has been observed by other belligerent Powers, and especially by Russia and Turkey in 1878.

It is only proper that diplomatic negotiations looking towards peace should never run the risk of being interrupted by fresh acts of hostility by armies in the field. This principle is so solidly established that the exception created by the Portsmouth Conference cannot overturn it. Quite the contrary; for it is this very exception which proves the practical and indisputable advantage of this principle. Thus, to cite an example drawn from this very Portsmouth Conference, during the voyage of the Russian and Japanese plenipotentiaries to America, the Japanese land and sea forces disembarked on the island of Saghalin, a large portion was conquered, and even the name of the island was changed. Up to the moment of this occupation, the Japanese had not a square foot of Russian territory in their possession; and later, in the course of the peace negotiations, this conquest was made to play an important part; the demand was made that Russia cede this great island to Japan. If an armistice, or even a suspension of arms, had been concluded before the Conference was arranged, this conquest could not have taken place. Diplomatic negotiations carried on under such circumstances are liable at any moment to give rise to surprises.

To show the practical bearing of these observations, it may be well to point out other surprises that might have happened during the Conference. Let us suppose that the plenipotentiaries had agreed on the stipulations of the proposed treaty of peace, and that they were on the point of signing the document, when, suddenly, it was learned that the Japanese army had obtained another brilliant victory over the Russian army. Is it not evident that this fresh feat of arms might have changed the whole diplomatic situation, given rise to new exigencies and checked, at the very conclusion of its labors, the entire work of the Conference? Or, on the other hand, if General Linievitch had been able, on the eve of the Portsmouth treaty, to inflict a defeat on the Japanese, is it not plain that this fact would have had a decisive influence on the conduct of the Russian Government and have retarded the signing of the convention?

But neither of these things happened in the case under review. The two armies of Russia and Japan remained in their camps and only a few slight skirmishes took place. Yet, it should be remembered that, if there was a *de facto* suspension of arms and if military operations did not upset the labors of the diplomats, this was largely due to the physical and climatic conditions of Manchuria, where until early September torrential rains precluded action on the part of either army.

The other peculiar characteristic of the Portsmouth Conference was the complete darkness in which we all were concerning the conditions on which Japan would make peace. Heretofore, when a defeated nation found herself forced to enter into diplomatic *pourparlers* looking to a conclusion of peace, proposed by her adversary, the latter never made a secret of the conditions. Consequently, when the negotiations began, a fixed programme had already been settled upon in such cases, and the representatives of the belligerent nations could forthwith consider the exigencies of the one party and the desires of the other. A peace conference, which is to treat concerning the most important interests of nations, should not be a sort of surprise-box, but all the details should be carefully arranged beforehand.

Before coming to the Conference, the Japanese Government had refused to communicate to anybody whatsoever its wishes or demands. It is almost certain that not even England, her ally, knew what were Japan's conditions of peace. The consequence was that, when we met, the intentions of one of the parties to the Conference were quite unknown. It was evident, therefore, that this state of obscurity which continually surrounded the proceedings was sure to give rise to surprises and dangerous misunderstandings, which was the case more than once.

The Portsmouth Conference, consequently, so it seems to me, teaches the necessity for Governments intending to take part in an international meeting to settle beforehand the various points which are to be considered. If this general rule ought to be applied to all international conferences, it is especially necessary that it be observed in the case of peace conferences.

Now that I have touched upon some of the exceptional features of the Portsmouth Conference, I will consider briefly the conduct of the negotiations, in which I took a modest part. But, as I have already said, it is not my intention to make any sensational

revelations or indulge even in any criticisms. The moment has not yet come to examine the Conference critically; and, as for revelations, there remains but little to reveal after the work in that direction of the thousand-eyed American Press, about whose rôle at Portsmouth I will take the liberty to make a few remarks.

Heretofore it has been an axiom in the diplomatic world that absolute secrecy concerning the proceedings of a Conference is the *sine quâ non* of its success. Consequently, at the first sitting of all international congresses, the delegates of the various governments represented agree to reveal nothing that transpires there. This rule was also observed on the opening day of the Portsmouth Conference. In European countries, the keeping of the promise is nearly always possible. In the United States, the contrary has been found to be true. It is an admitted fact that most of the secret negotiations of the Conference were revealed and immediately published by the American newspapers.

The pressmen or correspondents of the American dailies know no secret. In their eyes, the public has the right to be told of everything that interests it; and, as the Portsmouth Conference held the attention not only of the American people, but of the whole world, the American Press considered it to be the duty of every "newspaper man," worthy of the name, to take all possible means to put the public *au courant* of everything said and done at the Navy Yard, and elsewhere too. I am certain that in no other country and at no other international congress has the Press played so important a part as in the United States at the Portsmouth Conference; and I consider it my duty to add that never perhaps has the daily journal exercised so beneficent an influence as during these proceedings. The fact is that, as the whole universe and the United States in particular most earnestly desired the end of the war and the establishment of peace, the American Press put itself, at the very beginning of the Portsmouth negotiations, at the service of this noble idea.

If, at the beginning of the negotiations, American sympathies leaned perhaps a little more towards the Japanese, the American Press did much to hold the balance even between the two belligerents. From the moment when the newspaper world in the United States was convinced that Russia had the right to expect respect for its interests and dignity, the American Press changed its attitude, perceiving that only by respecting these

just requirements of Russia could there be any hope of securing peace. Then it was that the daily organs of the United States became a powerful auxiliary of the friends of peace and concord. It is, therefore, with the greatest pleasure that I render this homage to the American Press, and seize the occasion to express my personal gratitude for the kind and honorable way in which I was treated by the pressmen of the United States.

The conclusion which I would draw from the foregoing facts is this: though secrecy should continue to be the rule generally observed in these international diplomatic meetings, circumstances sometimes require that this course should be abandoned.

During three long weeks the *pourparlers* between the representatives of the two Powers seemed to show the absolute impossibility of attaining the desired object, that is, peace. There were especially two obstacles in the way—the Japanese demands that Russia should cede Saghalin and that Russia should pay Japan a war indemnity. These two conditions Russia categorically rejected, and the failure of the Conference seemed inevitable. Then it was that the President of the United States, again basing his action on the principles of The Hague Convention, considered himself once more justified in intervening between the two disputing nations. At first, Mr. Roosevelt proposed that a Commission composed of neutrals, whose decision, however, would not be binding on the contending parties, should fix the amount of the sum that Russia should pay to Japan. But this proposal was immediately abandoned because of its evidently impracticable nature. The second intervention of the President was more effective and happy. Japan was now to be asked to withdraw her demand for an indemnity, and the Tsar, who desired sincerely to see the unfortunate war ended, was to consent to the cession of the southern portion of the island of Saghalin. It was at the sitting of August 29th that an accord, based on these mutual concessions, was brought about; and, during the six days that followed, the stipulations of the definitive treaty of peace were drawn up by a commission named for that purpose. At last, on September 5th, the treaty was concluded, and a battery of artillery, in front of the building where the sittings had been held, fired a salute of nineteen guns in honor of the great event.

Such, in a few words, were the circumstances attending the conclusion of the Treaty of Peace of Portsmouth. Although the

various stipulations of this document are already known to the world, it does not seem to me proper to consider them here, as the instrument has not yet been ratified by the two sovereigns of Russia and Japan. But a few general reflections will be in order; for the negotiations over this treaty, as well as the whole conduct of the war, present odd and exceptional peculiarities.

Thus, though for eighteen months a bitter and mighty conflict was waged between two great military nations; though battles, almost unexampled as regards the number of troops engaged and the intensity of artillery fire, were fought,—yet all these bloody encounters and these gigantic operations were carried on, not on the territories of the belligerent states, but within the boundaries of a neutral Power! Furthermore, it should be noted that Chinese neutrality had been solemnly guaranteed at the opening of the campaign by both of the belligerents, as well as by the great neutral Powers. Never before, in the history of the civilized world, has a war been conducted under such conditions.

These peculiarities of the Russo-Japanese war are evidently reflected in the character of the stipulations of the treaty of peace. Of the fifteen articles of that document, more than half have to do with the rights of territorial possession and the sovereignty of Corea and China—that is to say, of two states which were in no way belligerents, but formally and legally neutral. The clauses of the treaty which relate to the island of Saghalin, to the fisheries on the Siberian coast and to the renewal of commercial relations between Russia and Japan, these clauses alone have a direct and exclusive relation to the contracting and recently hostile states. It would be hard to find a similar example in the peace treaties concluded up to the present time by civilized nations.

In closing, perhaps I may be permitted to express my personal and unhesitating opinion that the Treaty of Portsmouth will remain for the future a solid ground of concord between Russia and Japan, and that it will constitute at the same time a strong tie of friendship between Russia and the United States. The Russian nation will never forget the generous initiative taken by the President of the great American Republic; and Russia's representatives at the Portsmouth Conference will always recall with peculiar pleasure the cordial and sympathetic hospitality which they enjoyed on American soil.

F. DE MARTENS.

ENGLISH IDIOSYNCRASIES.—I.

BY W. D. HOWELLS.

NOTHING is so individual in any man as the peculiar blend of characteristics which he has inherited from his racial ancestries. The Englishman, who leaves the stamp of the most distinct personality upon others, is the most mixed, the most various, the most relative of all men. He is not English except as he is Welsh, Dutch, and Norman, with "a little Latin and less Greek" from his earliest visitors and invaders. This conception of him will indefinitely simplify the study of his nature if it is made in the spirit of the frank superficiality which I propose to myself. After the most careful scrutiny which I shall be able to give him, he will remain, for every future American, the contradiction, the anomaly, the mystery which I expect to leave him.

I.

No error of the Englishman's latest invader is commoner than the notion, which perhaps soonest suggests itself, that he is a sort of American, tardily arriving at our kind of consciousness, with the disadvantages of an alien environment, after apparently hopeless arrest in unfriendly conditions. The reverse may much more easily be true; we may be a sort of Englishmen, and the Englishman, if he comes to us and abides with us, may become a sort of American. But that is the affair of a possible future, and the actual Englishman is certainly not yet any sort of American, unless, indeed, for good and for bad, he is a better sort of Bostonian. He does not even speak the American language, whatever outlandish accent he uses in speaking his own. It may be said, rather too largely, too loosely, that the more cultivated he is, the more he will speak like a cultivated American, until you come to the King, or the Royal Family, with whom a

strong German accent is reported to prevail. The Englishman may write American, if he is a very good writer, but in no case does he spell American. He prefers, as far as he remembers it, the Norman spelling, and, the Conqueror having said "*geôle*," the Conquered print "gaol" which the American invader must pronounce "jail," not "gayol."

The mere mention of the Royal Family advances us to the most marked of all the superficial English characteristics; or, perhaps, loyalty is not superficial, but is truly of the blood and bone, and not reasoned principle, but a passion induced by the general volition. Whatever it is, it is one of the most explicitly as well as the most tacitly pervasive of the English idiosyncrasies. A few years ago — say, fifteen or twenty — it was scarcely known in its present form. It was not known at all with many in the time of the latest and worst of the Georges, or the time of the happy-go-lucky sailor William; in the earlier time of Victoria, it was a chivalrous devotion among the classes, and with the masses an affection which almost no other sovereign has inspired. I should not be going farther than some Englishman if I said that her personal character saved the monarchy; when she died there was not a vestige of the republican dream which had remained from a sentiment for "the free peoples of antiquity" rather than from the Commonwealth. Democracy had indeed effected itself in a widespread socialism, but the kingship was safe in the hearts of the Queen's subjects when the Prince of Wales, who was the first of them, went about praising loyalty as prime among the civic virtues and duties. The notion took the general fancy, and met with an acceptance in which the old superstition of kings by divine right was resuscitated with the vulgar. One of the vulgar lately said to an American woman who owned that we did not yield an equal personal fealty to all our Presidents, "Oh, yes, but you know that it is only your *people* that choose the President, but *God* gave us the King." Nothing could be opposed to a belief so simple, as in the churches of the eldest faith the humble worshipper could not well be told that the picture or the statue of his adoration was not itself sacred. In fact, it is not going too far, at least for a very adventurous spirit, to say that loyalty with the English is a sort of religious principle. What is with us more or less a joke, sometimes bad, sometimes good, namely,

our allegiance to the powers that be in the person of the Chief Magistrate, is with them a most serious thing, at which no man may smile without loss.

I was so far from wishing myself to smile at it, that I darkled most respectfully about it, without the courage to inquire directly into the mystery. If it was often on my tongue to ask, "What is loyalty? How did you come by it? Why are you loyal?"—I felt that it would be embarrassing when it would not be offensive, and I should vainly plead in excuse that this property of theirs mystified me the more because it seemed absolutely left out of the American nature. I perceived that in the English it was not less really present because it was mixed, or used to be mixed, with scandal that the alien can do no more than hint at. That sort of abuse has long ceased, and if one were now to censure the King, or any of the Royal Family, it would be felt to be rather ill-bred, and quite unfair, since royalty is in no position to reply to criticism. Even the Socialists would think it ill-mannered, though in their hearts, if not in their sleeves, they must all the while be smiling at the notion of anything sacred in the Sovereign.

Loyalty, like so many other things in England, is a convention to which the alien will tacitly conform in the measure of his good taste or his good sense. It is not his affair, and in the mean time it is a most curious and interesting spectacle; but it is not more remarkable, perhaps, than the perfect acquiescence in the aristocratic forms of society which hedge the King with their divinity. We think that family counts for much with ourselves, in New England or in Virginia; but it counts for nothing at all in comparison with the face value at which it is current in England. We think we are subject to our plutocracy, when we are very much out of humor or out of heart, in some such measure as the commoners of England are subject to the aristocracy; but that is nonsense. A very rich man with us is all the more ridiculous for his more millions; he becomes a byword if not a hissing; he is the meat of the paragrapher, the awful example of the preacher; his money is found to smell of his methods. But in England, the greater a nobleman is, the greater his honor. The American mother who imagines marrying her daughter to an English duke, cannot even imagine an English duke—say, like him of Devonshire, or him of Northumberland, or him of Norfolk—with the social power and state which wait upon him in his duchy and in

the whole realm; and so is it in degree down to the latest and lowest of the baronets, and of those yet humbler men who have been knighted for their merits and services in medicine, in literature, in art. The greater and greatest nobles are established in a fear which is very like what the fear of God used to be when the common people feared Him; and, though they are potent political magnates, they mainly rule as the King himself does, through the secular reverence of those beneath them for their titles and the visible images of their state. They are wealthy men, of course, with so much substance that, when one now and then attempts to waste it, he can hardly do so; but their wealth alone would not establish them in the popular regard. His wealth does no such effect for Mr. Astor in England; and mere money, though it is much desired by all, is no more venerated in the person of its possessor than it is with us. It is ancestry, it is the long uncontested primacy of families first in their place, time out of mind, that lays its resistless hold upon the fancy and bows the spirit before it. By means of this comes the sovereign effect in the political as well as the social state; for, though the people vote into or out of power those who vote other people into or out of the administration, it is always—or so nearly always that the exception proves the rule—family that rules, from the King down to the least *attaché* of the most unimportant embassy. No doubt many of the English are restive under the fact; and, if one had asked their mind about it, one might have found them frank enough; but, never asking, it was with amusement that I heard said once, as if such a thing had never occurred to anybody before, "Yes, isn't it strange that those few families should keep it all among themselves!" It was a slender female voice, lifted by a young girl with an air of pensive surprise, as at a curious usage of some realm of faery.

England is in fact, to the American, always a realm of faery, in its political and social constitution. It must be owned, concerning the government by family, that it works, and works well. That justifies it, so far as the exclusion of the immense majority from the administration of their own affairs can be justified by anything; though I hold that the worst form of graft in office is hardly less justifiable: it is, at least, one of the people picking their pockets. But it is the universal make-believe behind all the practical virtue of the state that constitutes the English

monarchy a realm of faery. The whole population, both the great and the small, by a common effort of the will, agree that there is a man or a woman of a certain line who can rightfully inherit the primacy amongst them, and can be dedicated through this right to live the life of a god, to be so worshipped and flattered, so cockered about with every form of moral and material flummery, that he or she may well be more than human not to be made a fool of. Then, by a like prodigious stroke of volition, the inhabitants of the enchanted island universally agree that there is a class of them which can be called out of their names in some sort of title, bestowed by some ancestral or actual prince, and can forthwith be something different from the rest, who shall thenceforth do them reverence, them and their heirs and assigns, forever. By this amusing process, the realm of faery is constituted, a thing which could not have any existence in nature, yet by its existence in fancy becomes the most absolute of human facts.

II.

It is not surprising that, in the conditions which ensue, snobbishness should abound; the surprising thing would be if it did not abound. Even with ourselves, who by a seven years' struggle burst the faery dream a century ago, that least erected spirit rears its loathly head from the dust at times, and in our polite press we can read much if we otherwise see nothing of its subtle influence. But no evil is without its compensating good, and the good of English snobbishness is that it has reduced loyalty, whether to the prince or to the patrician, from a political to a social significance. That is, it does so with the upper classes; with the lower, loyalty finds expression in an unparalleled patriotism. An Englishman of the humble or the humbler life may know very well that he is not much in himself; but he believes that England stands for him, and that royalty and nobility stand for England. Both of these, there, are surrounded by an atmosphere of reverence wholly inconceivable to the natives of a country where there are only millionaires to revere.

The most curious thing is that the persons in the faery dream seem to believe it as devoutly as the simplest and humblest of the dreamers. The persons in the dream apparently take themselves as seriously as if there were or could be in reality kings and lords. They could not, of course, do so if they were recently dreamed,

as they were, say, in the France of the Third Empire. There, one fancies, these figments must have always been smiling in each others' faces when they were by themselves. But the faery dream holds solidly in England because it is such a very old dream. Besides, the dream does not interfere with the realities; it even honors them. If a man does any great thing in England, the chief figure of the faery dream recognizes his deed, stoops to him, lifts him up among the other figures, and makes him part of the dream forever. After that he has standing, such as no man may have with us for more than that psychological moment, when all the papers cry him up, and then everybody tries to forget him. But, better than this, the dream has the effect, if it has not the fact, of securing every man in his place, so long as he keeps to it. Nowhere else in the world is there so much personal independence, without aggression, as in England. There is apparently nothing of it in Germany; in Italy, every one is so courteous and kind that there is no question of it; in the French Republic and in our own, it exists in an excess that is molestive and invasive; in England alone does it strike the observer as being of exactly the just measure.

Very likely the observer is mistaken, and in the present case he will not insist. After all, even the surface indications in such matters are slight and few. But what I noted was that, though the simple and humble have to go to the wall, and for the most part go to it unkicking, in England they were, on their level, respectfully and patiently entreated. At a railroad junction one evening, when there was a great hurrying up stairs and down, and a mad seeking of wrong trains by right people, the company's servants who were taking tickets, and directing passengers this way and that, were patiently kind with futile old men and women, who came up, in the midst of their torment, and pestered them with questions as to the time when trains that had not arrived would leave after they did arrive. I shuddered to think what would have at least verbally happened to such inquirers with us; but, there, not only their lives but their feelings were safe, and they could go away with such self-respect as they had quite intact. In no country less good-hearted than England could anything so wrong-headed as the English baggage system be suffered. But, there, passengers of all kinds help the porters to sort their trunks from other people's trunks, on arrival at their stations,

and apparently think it no hardship. The porters, who do not seem especially inspired persons, have a sort of guiding instinct in the matter, and wonderfully seldom fail to get the things together for the cab, or to get them off the cab, and, duly labelled, into the luggage-van. Once, at a great junction, my porter seemed to have missed my train, and after vain but not unconsidered appeals to the guard, I had to start without it. At the next station, the company telegraphed back at its own cost the voluminous message of my anxiety and indignation, and I was assured that the next train would bring my valise from Crewe to Edinburgh. When I arrived at Edinburgh, I casually mentioned my trouble to a guard whom I had not seen before. He asked how the bags were marked, and then he said they had come with us. My porter had run with them to my train, but in despair of getting to my car with his burden, had put them into the last luggage-van, and all I had to do was now to identify them at my journey's end.

Why one does not, guiltily or guiltlessly, claim other people's baggage, I do not know; but apparently it is not the custom. Perhaps in this, the deference for any one within his rights, peculiar to the faery dream, operates the security of the respective owners of baggage that could otherwise easily be the general prey. While I saw constant regard paid for personal rights, I saw only one case in which they were offensively asserted. This was in starting from York for London, when we attempted to take possession of a compartment we had paid for from the nearest junction, in order to make certain of it. We found it in the keeping of a gentleman who had turned it from a non-smoking into a smoking compartment, and bestrewn it with his cigar ashes. When told by the porters that we had engaged the compartment, he refused to stir, and said that he had paid for his seat, and he should not leave it till he was provided with another. In vain they besought him to consider our hard case, in being kept out of our own, and promised him another place as good as the one he held. He said that he would not believe it till he saw it, and as he would not go to see it, and it could not be brought to him, there appeared little chance of our getting rid of him. I thought it best to let him and the porters fight it out among themselves. When a force of guards appeared, they were equally ineffective against the intruder, who could not or did not say that he did

not know the compartment was engaged. Suddenly, for no reason, except that he had sufficiently stood, or sat, upon his rights, he rose, and the others precipitated themselves upon his hand-baggage, mainly composed of fishing-tackle, such as a gentleman carries who has been asked to somebody's fishing, and bore it away to another part of the train. They left one piece behind, and the porter who came back for it was radiantly smiling, as if the struggle had been an agreeable exercise, and he spoke of his antagonist without the least exasperation; evidently, he regarded him as one who had justly defended himself from corporate aggression; his sympathies were with him rather than with us, perhaps because we had not so vigorously asserted ourselves.

A case in which a personal wrong rather than a personal right was offensively asserted, was that of a lady, young and too fair to be so unfair, in a crowded train coming from the Doncaster Races to York. She had kept a whole first-class compartment to herself, putting her maid into the second-class adjoining, and heaping the vacant seats with her hand baggage, which had also overflowed into the corridor. At the time the train started she was comforting herself in her luxurious solitude with a cup of tea, and she stood up, as if to keep other people out. But, after waiting, seven of us, in the corridor, until she should offer to admit us, we all swarmed in upon her, and made ourselves indignantly at home. When it came to that she offered no protest, but gathered up her belongings, and barricaded herself with them. Among the rest there was a typewriting machine, but what manner of young lady she was, or whether of the journalistic or the theatrical tribe, has never revealed itself to this day. We could not believe that she was very high-born, not nearly so high, for instance, as the old lady who helped dispossess her, and who, when we ventured the hope that it would not rain on the morrow, which was to be St. Leger Day, almost lost the kindness for us inspired by some small service, because we had the bad taste to suggest such a possibility for so sacred a day.

I never saw people standing in a train, except once, in a very crowded car in Wales, when two women, decent elderly persons, got in and were suffered to remain on foot by the young men who had comfortable places. No one dreamed, apparently, of offering to give up his seat, and I had some ado to make one of the poor things sit on the end of my inverted valise. On the other hand,

a superior civilization is shown in what I may call the manual forbearance of the trolley and railway folk, who are so apt to nudge and punch you at home here, when they wish your attention. The like happened to me only once in England, and that was at Liverpool, where the tram-conductor, who laid hands on me instead of speaking, had perhaps been corrupted by the unseen American influences of a port at which we arrive so abundantly and indiscriminately.

III.

I did not resent the touch, though it is what every one is expected to do, if aggrieved, and every one else does it in England. Within his rights, every one is safe; though there may be some who have no rights. If there were, I did not see them, and I suppose that, as an alien, I might have refused to stand up and uncover when the band began playing "God Save the King," as it did at the end of every musical occasion; I might have urged that, being no subject of the King, I did not feel bound to join in the general prayer. But that would have been churlish, and, where every one had been so civil to me, I did not see why I should not be civil to the King, in a small matter. In the aggregate indeed, it is not a small matter, and I suppose that the stranger always finds the patriotism of a country molestive. Patriotism is, at any rate, very disagreeable, with the sole exception of our own, which we are constantly wishing to share with other people, especially with English people. We spare them none of it, even in their own country, and yet many of us object to theirs; I feel that I am myself being rather offensive about it, now, at this distance from them. Upon the whole, not caring very actively for us, one way or the other, they take it amiably; they try to get our point of view, and, as if it were a thorn, self-sacrificially press their bosoms against it, in the present or recent *entente cordiale*. None of their idiosyncrasies is more notable than their patience, their kindness with our divergence from them; but I am not sure that, having borne with us when we are by, they do not take it out of us when we are away.

We are the poetry of a few, who, we like to think, have studied the most deeply into the causes of our being, or its excuses. But you cannot always be enjoying poetry, and I could well imagine that our lovers must sometimes prefer to shut the page. The common gentleness comes from the common indifference, and

from something else that I will not directly touch upon. What is certain is that, with all manner of strangers, the English seem very gentle, when they meet in chance encounter. The average level of good manners is high. My experience was not the widest, and I am always owning it was not deep; but, such as it was, it brought me to the distasteful conviction that in England I did not see the mannerless uncouthness which I often see in America, not so often from high to low, or from old to young, but the reverse. There may be much more than we infer, at the moment, from the modulated voices, which sweetens casual intercourse, but there are certain terms of respect, almost unknown to us, which more obviously do that effect. It is a pity that democracy, being the fine thing it essentially is, should behave so rudely. Must we come to family government, in order to be filial or fraternal in our bearing with one another? Why should we be so blunt, so sharp, so ironical, so brutal in our kindness?

The single-mindedness of the English is beautiful. It may not help to the instant understanding of our jokes; but then, even we are not always joking, and it does help to put us at rest and to make us feel safe. The Englishman may not always tell the truth, but he makes us feel that we are not so sincere as he; perhaps there are many sorts of sincerity. But there is something almost caressing in the kindly pause that precedes his perception of your meaning, and this is very pleasing after the sense of always having your hearer instantly on to you. When, by a chance indefinitely rarer than it is with us at home, one meets an Irishman in England, or better still an Irishwoman, there is an instant lift of the spirit; and, when one passes the Scotch border, there is so much lift that, on returning, one sinks back into the embrace of the English temperament, with a sigh for the comfort of its soft unhurried expectation that there is really something in what you say which will be clear by and by.

Having said so much as this in compliance with the frequent American pretence that the English are without humor, I wish to hedge in the interest of truth. They certainly are not so constantly joking as we; it does not apparently seem to them that fate can be propitiated by a habit of pleasantry, or that this is so merry a world that one need go about grinning in it. Perhaps the conditions with most of them are harder than the conditions with most of us. But, thinking of certain Englishmen I have

known, I should be ashamed to join in the cry of those story-telling Americans whose jokes have sometimes fallen effectless. It is true that, wherever the Celt has leavened the doughier Anglo-Saxon lump, the expectation of a humorous sympathy is greater; but there are subtile spirits of Teutonic origin whose fineness we cannot deny, whose delicate gayety is of a sort which may well leave ours impeaching itself of a heavier and grosser fibre.

IV.

No doubt you must sometimes, and possibly oftenest, go more than half-way for the response to your humorous intention. Those subtile spirits are shy, and may not offer it an effusive welcome. They are also of such an exquisite honesty that, if they do not think your wit is funny, they will not smile at it, and this may grieve some of our jokers. But, if you have something fine and good in you, you need not be afraid they will fail of it, and they will not be so long about finding it out as some travellers say. When it comes to the grace of the imaginative in your pleasantry, they will be even beforehand with you. But in their extreme of impersonality they will leave the initiative to you in the matter of humor as in others. They will no more seek out your peculiar humor than they will name you in speaking with you.

Nothing in England seeks you out, except the damp. Your impressions, you have to fight for them. What you see or hear seems of accident. The sort of people you have read of your whole life, and are most intimate with in fiction, you must surprise. They no more court observance than the birds in whose seasonable slaughter society from the King down delights. In fact, it is probable that, if you looked for both, you would find the gunner shyer than the gunned. The pheasant and the fox are bred to give pleasure by their chase; they are tenderly cared for and watched over and kept from harm at the hands of all who do not wish to kill them for the joy of killing, and they are not so elusive but they can be seen by easy chance. The pheasant especially has at times all but the boldness of the barnyard in his fearless port. Once from my passing train, I saw him standing in the middle of a ploughed field, erect, distinct, like a statue of himself, commemorative of the long ages in which his heroic death and martyr sufferance have formed the pride of princes and the peril of poachers. But I never once saw him shot, though almost

as many gunners pursue him as there are pheasants in the land. This alone shows how shy the gunners are; and when once I saw the trail of a fox-hunt from the same coign of vantage without seeing the fox, I felt that I had almost indecently come upon the horse and hounds, and that the pink coats and the flowery spread of the dappled dogs over the field were mine by a kind of sneak as base as killing a fox to save my hens.

Equally with the foxes and the pheasants, the royalties and nobilities abound in English novels, which really form the chief means of our acquaintance with English life; but the chances that reveal them to the average unintroduced, unpresented American are rarer. By these chances, I heard, out of the whole peerage, but one lord so addressed in public, and that was on a railroad platform where a porter was reassuring him about his luggage. Similarly, I once saw a lady of quality, a tall and girlish s[illegible], who stood beside her husband, absently rubbing with her glove the window of her motor, and whom but for the kind interest of our cabman we might never have known for a duchess. It is by their personal uninsistence largely, no doubt, that the monarchy and the aristocracy exist; the figures of the faery dream remain blent with the background, and appear from it only when required to lay corner-stones, or preside at races, or teas or bazars, or to represent the masses at home and abroad, and invisibly hold the viewless reins of government.

Yet it must not be supposed that the commoner sort of dreamers are never jealous of these figments of their fancy. They are often so, and rouse themselves to self-assertion as frequently as our Better Element flings off the yoke of Tammany. At a fair, open to any who would pay, for some forgotten good object, such as is always engaging the energies of society, I saw moving among the paying guests the tall form of a nobleman who had somehow made himself so distasteful to his neighbors that they were not his friends, and regularly voted down his men, whether they stood for Parliament or County Council, and whether they were better than the popular choice or not. As a matter of fact, it was said that they were really better, but the people would not have them because they were his; and one of the theories of English manliness is that the constant pressure from above has toughened the spirit and enabled Englishmen to stand up stouter and straighter each in his place, just as it is contended elsewhere

that the æsthetic qualities of the human race have been heightened by its stresses and deprivations in the struggle of life.

For my own part, I believe neither the one theory nor the other. People are the worse for having people above them, and are the ruder and coarser for having to fight their way. If the triumph of social inequality is such that there are not four men in London who are not snobs, it cannot boast itself greater than the success of economic inequality with ourselves, among whom the fight for money has not produced of late a first-class poet, painter or sculptor. The English, if they are now the manliest people under the sun, have to thank not their masters but themselves, and a nature originally so generous that no abuse could lastingly wrong it, no political absurdity spoil it. But if this nature had been left free from the beginning, we might see now a nation of Englishmen who, instead of being bound so hard and fast in the bonds of an imperial patriotism, would be the first in a world-wide altruism. Yet their patriotism is so devout that it may well pass itself off upon them for a religious emotion, instead of the superstition which seems to the stranger the implication of an England in the next world as well as in this.

V.

We fancy that, because we have here an Episcopal Church, with its hierarchy, we have something equivalent to the English Church. But that is a mistake. The English Church is a part of the whole of English life, as the army or navy is; in English crowds, the national priest is not so frequent as the national soldier, but he is of as marked a quality, and as distinct from the civil world, in uniform, bearing and aspect; in the cathedral towns, he and his like form a sort of spiritual garrison. At home here you may be ignorant of the feasts of the Episcopal Church without shame or inconvenience; but in England you had better be versed in the incidence of all the holy days if you would stand well with other men, and would know accurately when the changes in the railroad time-tables will take place. It will not do to have ascertained the limits of Lent; you must be up in the Michaelmases and Whitmondays, and the minor saints' days. When once you have mastered this difficult science, you will realize what a colossal transaction the disestablishment of the English Church in England would be, and how it would affect the whole social fabric.

But, even when you have learned your lesson, it will not be to you as that knowledge which has been lived, and which has no more need ever to question itself than the habitual pronunciation of words. If one has moved in good English society, one has no need ever to ask how a word is pronounced, far less to go to the dictionary; one pronounces it as one has always heard it pronounced. The sense of this gives the American a sort of despair, like that of a German-or-French-speaking foreigner, who perceives that he never will be able to speak English. The American is rather worse off, for he has to subdue an inward rebellion, and to form even the wish to pronounce some English words as the English do. He has, for example, always said "financier," with the accent on the last syllable; and if he has consulted his Webster he has found that there was no choice for him. Then, when he hears it pronounced at Oxford by the head of a college with the accent on the second syllable, and learns on asking that it is never otherwise accented in England, his head whirls a little, and he has a sick moment, in which he thinks he had better let the verb "to be" govern the accusative as the English do, and be done with it, or else telegraph for his passage home at once. Or stop! He must not "telegraph," he must "wire."

As for that breathing in the wrong place which is known as dropping one's aitches, I found that in the long time between the first and last of my English sojourns, there had arisen the theory that it was a vice purely cockney in origin, and that it had grown upon the nation through the National Schools. It is grossly believed, or boldly pretended, that till the National School teachers had conformed to the London standard in their pronunciation the wrong breathing was almost unknown in England, but that now it was heard everywhere south of the Scottish border. Worse yet, the teachers in the National Schools had scattered far and wide that peculiar intonation, that droll slip or twist of the vowel sounds by which the cockney alone formerly proclaimed his low breeding, and the infection is now spread as far as popular learning. Like the wrong breathing, it is social death "to any he that utters it," not indeed that swift extinction which follows having your name crossed by royalty from the list of guests at a house where royalty is about to visit, but a slow, insidious malady, which preys upon its victim, and finally destroys him after his lifelong struggle to shake it off. It is even worse than the wrong

breathing, and is destined to sweep the whole island, where you can nowhere, even now, be quite safe from hearing a woman call herself "a lydy." It may indeed be the contagion of the National School teacher, but I feel quite sure, from long observation of the wrong breathing, that the wrong breathing did not spread from London through the schools, but was everywhere as surely characteristic of the unbred in England as nasality is with us. Both infirmities are of national origin and extent, and both are individual or personal in their manifestation. That is, some Americans in every part of the Union talk through their noses; some Englishmen in every part of the kingdom drop their aitches.

The English-speaking Welsh often drop their aitches, as the English-speaking French do, though the Scotch and Irish never drop them, any more than the Americans, or the English of the second generation among us; but that extremely interesting and great little people are otherwise as unlike the English as their mother-language is. They seem capable of doing anything but standing six feet in their stockings, which is such a very common achievement with the English, but that is the fault of nature which gave them dark complexions and the English fair. Where the work of the spirit comes in, it effects such a difference between the two peoples as lies between an Eisteddfod and a horse-race. While all the singers of Wales met in artistic emulation at their national musical festival at Rhyl, all the gamblers of England met in the national pastime of playing the horses at Doncaster. More money probably changed hands on the events at Doncaster than at Rhyl, and it was characteristic of the prevalent influence in the common civilization (if there is a civilization common to both races) that the King was at Doncaster and not at Rhyl. But I do not say this to his disadvantage, for I was myself at Doncaster and not at Rhyl. You cannot, unless you have a very practised ear, say which is the finer singer at an Eisteddfod, but almost any one can see which horse comes in first at a race.

What is most striking in the mixture of strains in England is that it apparently has not ultimately mixed them; and perhaps after a thousand years the racial traits will be found marking Americans as persistently. We now absorb, and suppose ourselves to be assimilating, the different voluntary and involuntary immigrations; but doubtless after two thousand years the African, the

Celt, the Scandinavian, the Teuton, the Gaul, the Hun, the Latin, the Slav will be found atavistically asserting his origin in certain of their common posterity. The Pennsylvania Germans have as stolidly maintained their identity for two centuries as the Welsh in Great Britain for twenty, or, so far as history knows, from the beginning of time. The prejudices of one British stock concerning another are as lively as ever, apparently, however the enmities may have worn themselves away. One need not record any of these English prejudices concerning the Scotch or Irish; they are too well known; but I may set down the opinion of a lively companion in a railroad journey that the Welsh are "the prize liars of the universe." He was an expert accountant by profession, and his affairs took him everywhere in the three Kingdoms, and this was his settled error; for the Welsh themselves know that, if they sometimes seem the prey of a lively imagination, it is the philologically noted fault of their language, which refuses to lend itself to the accurate expression of fact, but which would probably afford them terms for pronouncing the statement of my accountant inexact. He was perhaps a man of convictions rather than conclusions, for, though he was a bright intelligence, of unusually varied interests, there were things that had never appealed to him. We praised together the lovely September landscape through which we were running, and I ventured some remark upon the large holdings of the land: a thing that always saddened me in the face of nature with the reflection that those who tilled the soil owned none of it; though I ought to have remembered the times when it owned them, and taken heart. My notion seemed to strike him for the first time, but he dismissed the fact as a necessary part of the English system; it had never occurred to him that there could be question of that system. There must be many Englishmen to whom it does occur, but if you do not happen to meet them you cannot blame the others.

I fancied that one of the Englishmen to whom it might have occurred was he whom I met in Wales at Aberystwith, where we spoke together a moment in the shadow of the coeducational University there, and who seemed at least of a different mind concerning the Welsh. "These Welsh farmers," he said, "send their sons and daughters to college as if it were quite the natural thing to do. But just imagine a Dorsetshire peasant sending his boy to a University!"

W. D. HOWELLS.

JAPAN'S COMMERCIAL ASPIRATIONS.

BY FREDERIC COURTLAND PENFIELD.

"The Pacific Ocean, its shores, its islands, and the vast region beyond, will become the chief theatre of events in the world's great hereafter."—WILLIAM H. SEWARD in the United States Senate, 1858.

So much has been published, since the signing of the peace agreement at Portsmouth, of Japan's golden future as a trading nation that readers may be forgiven for coming to believe that the sturdy yellow men are hereafter to dominate the trade of the Orient as completely as their strategy and courage mastered Russia's military strength on land and sea. No country has ever been written of to the extent that Japan has been by Americans and Englishmen in the past two or three years; and the amazing successes of the Japanese army and navy so fired the admiration of journalists having to do with the war that the pens of many of them ran riot when they came to write of what Japan would be after the conflict. But to elevate the Japanese by a few sounding phrases to an immediate commercial importance in the Far East, to the obvious exclusion of the United States, Great Britain, Germany and France—with no intervening formative period, and no upbuilding processes—is scarcely permissible.

None better know the amount of hard work that will be required to give their nation a secure place in commerce than the Japanese themselves; and, throughout the Island Empire, the determination to take advantage of the opportunity now presented is well-nigh unanimous.

Japan's scheme for national betterment, already inaugurated, is presumably as carefully prepared as was the war programme. The Mikado's Empire emerged from the Russian war with energies enormously aroused, and every condition now favors a speedy realization of the dream of empire, giving to Japan an

importance amounting almost to sovereignty over the Far East. The new treaty with Great Britain should have a steadying influence on the policy of the Tokyo Government.

By the war, and by the subsequent negotiations at Portsmouth, Japan gained practically everything she sought, except an indemnity covering expenses in the campaign. It is well to recall that it was Russia's presence in Manchuria, forbidding the mainland of Asia to the rapidly increasing population of the Island Empire, that caused the conflict. Hence, to supplant Russia in the Liao-tung peninsula, to gain proprietorship over Port Arthur and Dalny, a goodly section of the railway connecting Manchuria with the Trans-Siberian line, and a control over Corea practically amounting to guardianship, are enormous rewards, compared with which failure to secure a money indemnity is insignificant.

With the transition of Japan from war to peace, the process of fiscal recuperation and industrial development will be watched with keen interest. At the close of the war, Japan's public debt approximated $870,000,000, which sum, apportioned among Nippon's 47,000,000 inhabitants, is $18.71 *per capita*. The sum properly chargeable to the war is $600,000,000, or thereabouts; it will be reduced when the Japanese treasury is reimbursed for the support for months of many thousand Russian prisoners. Whatever the total, the ambitious and sturdy people of Japan are not disposed to regard it as an excessive burden, and it is their determination to treat the bonded debt as a spur to active industry.

A large part of the debt incurred before the war was for public works, most of which are productive. Funds realized from early loans, both foreign and domestic, as well as a portion of the income from the Chinese indemnity, were invested in commercial enterprises owned and fostered by the Empire; and the Government receives a considerable benefit from the public railways, tobacco monopoly, woollen-mills, and a few other industrial ventures. The railways are extremely profitable, and the large sums spent in the creation of post-offices, telephones and telegraph lines, port facilities, etc., have proved wise investments.

No country can present a better foundation for industrial and commercial development at this time than Japan, and the signing of the peace agreement probably marks the beginning of an

era of national growth that may challenge the admiration of the world, as did the feats of arms of Oyama and Togo. The war cemented classes in Japan almost to a condition of homogeneity. Practically every subject of the Mikado believed in the necessity for the conflict, and made sacrifices to contribute to the cost thereof. Distinctions of class are now seldom thought of in Japan, and it contributes mightily to the material improvement of a nation to have a single language. The descendants of the samurai class acknowledge the need for trade on a grand scale, and they are only too ready to embark in manufacturing and trading enterprises. There are scarcely ten great fortunes in the realm, and the number of subjects removed from activity by even moderate affluence is remarkably small. Likewise, the number of persons reckoned in the non-producing class, through dissipation or infirmity, is insignificant. And, more potent than all these reasons, which unite to assist in the expansion of Japanese industry and thrift, is the intense patriotism of the people, stimulated by signal success in two wars against foreign nations of overwhelming populations, as well as the recognition from high and low that Japan's golden opportunity has arrived. Almost to a man, the Japanese want to employ their sinews and intellect in elevating the Land of the Rising Sun to an honored place among progressive nations.

The Japanese exchequer is at present a long way from depletion, by reason of the $150,000,000 loan secured in America, England and Germany. Probably two-thirds of this remains to Japan's credit in the countries mentioned. Many Tokyo bankers believed the loan unnecessary, inasmuch as there were funds in hand sufficient to finance the war well into 1906, had peace not been agreed upon. But the flotation was deemed wise, not alone because of prevailing ease in the money-market, but for the effect that an oversubscribed loan in America and Europe would have upon the Tsar's Government. The portion of the loan remaining unused is available for giving immediate effect to Japan's industrial propaganda, and presumably will be spent for the endless machinery demanded by the factories and shipyards that are to transform Japan into a workshop, for structural metal, and for steel rails, cars and locomotives for railways in Manchuria and Corea; and generally for the hundred and one purposes which are to play a part in the development of lands hitherto out of step

in the march of enterprise, and where strife has until now stifled the usual manifestations of man's desire to improve his surroundings.

There is no likelihood of a reduction in Japan's debt for a long time, but its weight upon the people may be reduced by conversions. As the national credit strengthens, the interest on borrowings may be correspondingly decreased. Consequently, there may be frequent funding operations and new issues, until seven and six per cent. bonds shall have given place to obligations bearing five per cent. interest or less. To provide funds for early railway-building, a considerable amount of capital was borrowed at as high a rate as ten per cent. When these obligations expire, all necessary money can be found in the country for less than half the present rate. Japan is fortunate in having many sound financiers to invite to her official councils. Tokyo and Yokohama bankers are competent and progressive, and these men pronounce Japan's present financial position sound, and claim that the country can easily carry the existing debt.

In natural resources Japan is not well-to-do. Examine the country in as friendly a spirit as one may, little is discovered to support any statement that the country may become prosperous from products of the soil. In truth, Japan is nearly as unproductive as Greece or Norway, for only sixteen per cent. of her soil is arable. The mountain ranges and peaks and terraced hills that make the country scenically attractive to the tourist almost prohibit agriculture. The lowlands, separating seacoast from the foot-hills, and the valleys generally, are given over to rice-culture; and these contribute largely towards sustaining the people. Where valleys are narrow, and on hillside patches, cultivation is carried on wholly by hand. In recent years, the use of phosphates and artificial fertilizers has been encouraged by the Government; and, with the educational work now in hand, scientific husbandry may result in an increase of crops from the circumscribed tillable area. The country's forests cannot be sacrificed, and grazing-lands for flocks and herds scarcely exist.

A recent magazine writer, holding a doleful view of Japan's agricultural condition, wholly overlooked the silk and tea crops in his search for natural products, an error obviously fallen into because of the fact that these are not raised on what governmental reports call "tillable ground"—that is to say, they are produced

outside the sixteen per cent. "arable" area. Silk is Japan's important salable crop, two-thirds of which is exported in its raw state. In the past two years, the silk exports have averaged $55,000,000. Japan grows the tea consumed by her own people, and, besides, sends annually $6,500,000 worth to market.

If the rice crop might be exported, it would realize $200,000,000 each year. But no food may be sent abroad, for it is a sad fact that Japan is capable of feeding only two-thirds of her people. Last year it was necessary to import foodstuffs to the extent of $47,000,000. The Japanese benefit by the supply of fish secured from the seas washing her shores. When it is realized that Japan's rapidly growing population cannot be sustained by her soil and fisheries, the real reason for her resistance of Russia's aggression on the mainland may be understood, for, ten years hence, Japan's crowding millions, confined to her own islands, would experience the pangs of hunger.

"Having deposits of coal and iron, why may not Japan be developed into the Eastern equivalent of England?" ask stay-at-home admirers of the Japanese, who believe that to the Japanese nothing is impossible. The Mikado's territory has coal, iron and copper, it is true; but in no instance is the mineral present to an extent that could make it a national asset of importance. Bituminous coal of good quality is mined at several points, and it is used by Japanese commercial and naval vessels; but elsewhere in the East it has to compete with Chinese and Indian coal. It is said in Nagasaki that Japan's coal will last another two centuries; but were it mined on the same scale as American and British coal it would be exhausted in a generation. The greatest efforts have been made to produce iron ore in paying quantities, and, in several instances, public assistance has been lent to the industry; but seldom has a ton of ore been raised that has not cost twice its market value. Japan is determined to become a maker of iron; and to this end it was reported in Tokyo a few weeks ago that a long lease had been secured of an important mineral tract in China, whose ore blends advantageously with Mexican and Californian hematite. Another rumor in official Tokyo is that the Government has secured in Manchuria a seam of coal fifty feet in thickness, covered by a few feet of soil, that is contiguous to transportation and cannot be exhausted in hundreds of years. A valuable acquisition in conquered Saghalin—

not noted by the newspapers—is a vast area of beds of coal and iron. These may enable Japan, in her determination to become a manufacturing nation, to be independent eventually of other countries for basic supplies. But success in this direction is problematical and remote, to say the least.

For two thousand years, Japan has mined copper in a limited way, but the production of the metal is carried on at present without much profit. When the Chinese Government recently required a large quantity of copper, the order was sent to the United States. Japan cannot be considered as a producer of minerals of sufficient importance to aspire to a profitable career through them, for the yearly aggregate value of all minerals, including gold from the Formosa mines, is not more than $20,000,000.

The inevitable query in the reader's mind is, How is the Japanese—knowing it is now or never with him, and that he is poor in all save ambition and enterprise—going to create for his beloved Nippon a position of prominence and security in the fast-rushing, selfish world?

The Japanese possess some quality of golden value, otherwise cautious capitalists in America and Europe would never have lent them $360,000,000. What is it?

Japan's asset of importance is the awakened energy of her people; this is the soundest security back of the bond issues. It won the war over Russia, and persons familiar with the Japanese character believe it is now going to win commercially and industrially. Japanese bonds stood as firm as the rock of Gibraltar on the world's exchanges when it became known that Russia was to pay no indemnity. The information provoked street riots in Tokyo; but Japanese securities moved only fractionally in New York and London.

Two countries have long been keenly observed by enlightened Japanese. The Japanese study America as a model industrial land, and they get manufacturing ideas from us; but they look to Great Britain for everything that has to do with empire, with aggrandizement, and with diplomacy. To them England is a glittering object-lesson of a nation existing in overcrowded islands, extending its rule to other lands and other continents, producing endless articles needed by mankind, and carrying these to the ends of the earth in their own ships. These Japanese have per-

ceived that the interchange of commodities between most countries of the globe is preponderatingly in the hands of the British —in fact, that the enterprise of British merchant or British shipowner has placed practically the whole universe under tribute.

May not insular Japan become in time the Asiatic equivalent of Great Britain? Japan is advantageously located, and by common consent is now dominant in the Far East. Years ago, England ceased to be an agricultural country; and the products of British workshops now buy food from other nations and provide, besides, for the keeping of a money balance at home. Nature has decreed that Japan, likewise, can never be an agricultural land. Why, then, may she not do what England has done? England has her India, pregnant with the earth's bounty, and her Australia, yet awaiting completer development by man. Why may not the great Middle Kingdom become the handmaid of Japan, without any disturbance of dynastic affairs, and primitive Corea be a fair equivalent of the Antipodean continent? It is known to be Japan's plan to speedily colonize Corea and Manchuria with her surplus population.

"Prestige and opportunity make this attainable," insist the ambitious sons of Japan; "and, while it is probably too late to expand the political boundaries of our Empire, we surely may make Nippon the seat of a mighty commercial control, including in its sphere all of China proper, Manchuria and Corea—welding them into 'commercial colonies' of Japan."

"But are not these countries stipulated and guaranteed by the Powers to be 'open-door' countries—meaning that your people can enjoy no special trade advantage in them?" you ask.

"Emphatically are they open to the enterprise of all comers; but there are four potential advantages that must accrue to the benefit of Japanese trade — geographical position, necessity for recouping the cost of the war, a nearly identical written language, and superabundance of capable and inexpensive labor. With these advantages and practical kinship, we fear no rivalry in the creation of business among the Mongol races," adds the man speaking for the new Japan.

It calls for little prescience to picture a mighty Japanese tonnage on the seas in the near future. Next to industrial development, the controlling article of faith of the awakening Japan is the creation of an ocean commerce great enough to make the

Japanese the carriers of the Orient. There can be nothing visionary in this, for bountiful Asia is at present almost without facilities of her own for conveying her products to the world's markets. Indeed, were present-day Japan eliminated from consideration, it would be precisely correct to say that Asia possesses no oversea transportation facilities.

The merchant steamship is intended to play an important rôle in Japan's elevation. Shipping is to be fostered by the nation until it becomes a great industry, and it will be the aim of the Mikado's Government to provide for constructing ships for the public defence up to 19,000 tons burden, and making the country independent of foreign yards through being able to produce advantageously commercial vessels for any requirement. Japan is blind neither to the costliness of American-built ships nor to the remoteness of European yards. The war with Russia was not half over when it was apparent that Japan would not hereafter be dependent upon the outer world for vessels of war or of commerce.

In the war with China, eleven years ago, Japan had an insufficient number of vessels to transport her troops. The astute statesmen at Tokyo, recognizing the error of depending upon ships controlled by foreigners for the transportation requirements of an insular nation, speedily drafted laws looking to the creation of a native marine, which might be claimed in war time for governmental purposes. The bestowal of liberal bounties transformed Japan in a few short years from an owner of craft of the mere junk class to a proprietor of modern iron-built vessels of both home construction and foreign purchase. In the late campaign, there was no comparison between the seamanship of the agile son of Japan and that of the hulking peasant of interior Russia. Native adaptability and willingness to conform to strict discipline unite in making the Japanese a seaman whose qualities will be telling in times of peace.

Of late years, hundreds of clever young Japanese have served apprenticeships in important shipyards in America, England, Germany and France, with the result that there are to-day scores of naval architects and constructors in Japan who are the equals of any in the world. Whether as designers, yard-managers or directors of construction, the Japanese, with their special schooling, have now nothing to learn from foreign countries. The genius of some of these men played a part in Togo's great victories.

Japanese men of affairs pretend to see little difficulty in the way of their nation controlling the building of ships for use throughout the East. Local yards are already constructing river gunboats and torpedo craft for the Chinese Government; and it is reasonable to believe that, a year or two hence, their hold upon the business will amount practically to a monopoly. British firms with yards at Singapore, Hong-Kong and Shanghai are not rejoiced at the prospect of Japanese rivalry. It is possible that the Japanese may become ship-builders for our own Philippine archipelago; certainly, no Corean order will hereafter go to other than a Japanese yard.

Already the shipyards of the islands are ringing with the sounds of Japan's upbuilding. The Government has under construction a battle-ship of 18,000 tons, as well as a cruiser of 12,000 tons; and the plant of the Mitsubishi Company, at Nagasaki—among the largest in the world—is to be enlarged to accommodate increasing demands. The enormous "Minnesota," of the Great Northern Steamship Company, has recently been repaired at Nagasaki in a dry dock having eighty feet in length to spare.

Japanese steamship lines already ply to Europe, Australia, Bombay, Eastern Siberia, China, Corea and Saghalin, and to San Francisco and Puget Sound ports. A company was recently formed to develop a service between Panama, the Philippines and Japanese ports, in anticipation of the completion of the Panama Canal; and, further perceiving the opportunity rapping at her door, Japan is preparing to place a line on the ocean that will bring the wool, hides and grain of the River Plate region to her markets at the minimum of expense. The undisguised purpose of this South-American venture is to get cheap wheat from Argentina. Rice in Japan is giving way, as a staple food, to bread made from wheat, or from a mixture of wheat and rice and other cereals. It is further known that Japan is casting covetous eyes on the trade of Brazil, and the line to the Plate may be extended to Brazilian ports.

In 1894, Japan had only 657,269 tons of merchant shipping; she has now upwards of a million tons, represented by 5,000 registered vessels. Almost half the steamers entering Japanese ports fly the flag of the Rising Sun, and Japan's tonnage at this time is greater than that of Russia, Austria, Sweden, Spain, Denmark or Holland. In the matter of oversea tonnage, Japan is far

ahead of the United States. One fleet of Japanese mail-steamers, the Nippon Yusen Kaisha, whose president, Rempei Kondo, is one of Japan's most progressive men, is numerically and in tonnage larger than any ocean line under the Stars and Stripes. It has seventy ships, aggregating 236,000 tons. A dozen of its vessels, making the service between Yokohama and London, are fourteen-knot ships.

These facts should be considered by every American who complacently believes that the traffic of the countries and islands washed by the Pacific is open to American enterprise whenever we bid for it. When Eastern trade develops in magnitude, it may be found that the Japanese have laid permanent hold upon its carriage and interchange. John Bull, be it remembered, drove the American merchantman from the Atlantic; and Japan may capture the carrying business of the Pacific. It must be obvious that the nation which controls the transportation of the Far East can readily control its trade; and it is sounding no false alarm to cite facts and conditions which show that the awakening lands of Eastern Asia have more in store for energetic Japan than for the United States.

If it be conceded that Japan will absorb the bulk of the shipping of the Pacific as it develops, there are no valid reasons for fearing Japan as the trade competitor of the United States. Unquestionably, Japan is to exploit the industry of her people; but the same poverty of resources which makes this imperative insures for Uncle Sam a valuable partnership in the programme. Japan is bristling with workshops and mills, in which a hundred forms of handiwork will be developed; and, in a majority of these, the adaptive labor of the Japanese will fabricate, from materials drawn from America, scores of forms of merchandise, which Japanese enterprise will distribute throughout China, Manchuria, Corea and Japan—the "Greater Japan," as British publicists are calling that group of countries. Methods, materials, machinery, tools—all will be American.

Having made no systematic appeal for the trade of the Far East, in its broadest sense, America enjoys but small share of it. In the past few years our exports to Japan, however, have grown rapidly—chiefly in raw cotton and other unmanufactured materials. With Japanese selling-agents canvassing lands inhabited by half a billion people, the products of America are to have

enhanced consumption. This trade in Mongol countries, although vicarious, may run to large dimensions.

The leading item of Japan's industrial promotion programme is to become manufacturer of a goodly portion of the textiles worn in her vast "sphere of commerce." The Japanese have seen that the British Isles, growing not a pound of cotton, spin and weave the staple for half the people of the earth, and they wish to profit by the example of their prosperous ally. To this end, cotton-mills have sprung into existence throughout Japan and in these American-grown fibre is transformed by the cheapest competent labor in the world into fabrics sold to the millions of China and Japan. It is certain that the chief manufacture of Japan will be cotton, and the production of woolen cloths may come next. It is interesting to know that Japan increased the value of her exports of cotton manufactures to China from $251,-363 in 1894 to $16,126,054 in 1904.

"Why not fabricate her own raw silk, and send it to market ready for wear?" asks the foreigner, reluctant to believe that Japan will seek to compete with Lancashire in the spinning of cotton. The answer is simple—it is because America is the principal purchaser of Japan's silk. Were it brought across the Pacific in manufactured form, the duty would be almost prohibitive; in its unmanufactured state, it enters this country free.

Great progress must be made before Japanese business may be considered a "menace" to any nation enjoying Eastern trade, for the yearly value of Japan's manufactures is now only about $150,000,000, an average of less than $3 *per capita* of her population. America has single cities that produce more. The combined capital of all organized industrial, mining, shipping, banking and agricultural undertakings in Japan is only $425,000,000, less than half that of the United States Steel Corporation.

The Mikado's Empire is bound to Great Britain by a political alliance of unusual force; but industrial Japan must, of necessity, be linked to the United States by commercial ties even stronger. Distance between Europe and Japan, and excessive Suez Canal tolls, give unassailable advantage to the United States as purveyor of unwrought materials to the budding New England of the Far East.

FREDERIC COURTLAND PENFIELD.

THE JEW IN AMERICA.

BY PROFESSOR ABRAM S. ISAACS.

THE buoyancy and vitality of the Jewish people and their religion have stood the test of a long series of migrations from early Biblical times to the present exodus from Russia and Rumania. Sudden and violent changes which have sounded the death-knell of many races and religions, or have fused and cross-fertilized them beyond recognition, seem only to have vitalized the Jew. As his faith was to be universalized, so his people were to be scattered from land to land, from East to West,—the divine method of preventing any relapse into the Bedouin stage of development, with Judaism, not tribalism, his religion.

Such migrations of varying magnitude in the past, from Palestine to Babylonia, Persia, Egypt, and Asia Minor; from the Orient to Italy, Spain, and Central Europe, have occurred at critical periods, and were rarely voluntary but usually compulsory. There was generally no alternative between exile and death, apostasy and degradation. Then, as now, the Jew preferred the pilgrim's staff, the wanderer among the nations; and whether by the Guadalquivir or the Danube, in the dense forests of Germany, or in the fertile plains of Italy, the people remained on the whole faithful to their traditions. Bible and Talmud kept them from becoming Gipsies. Wherever they breathed the atmosphere of comparative freedom, they adapted themselves so thoroughly to each new environment that they added many a brilliant name to the science, philosophy, poetry and statecraft of their day. And, glad at heart, they cherished the older prophets' dream of a golden age of peace and brotherhood for mankind—a dream which was never wholly shattered even in the agonies of an *auto da fé*.

It is now 250 years since the beginnings of what is likely to

prove the most momentous migration in Jewish history occurred on American soil. It is not surprising that such an event should have suggested the idea of a general celebration among the Jews of the United States. But, properly to understand the real significance of the first Jewish arrivals at New Amsterdam towards the end of 1654, it is necessary to consider the causes that led to their settlement and the circumstances which made it absolutely imperative for the Jew to seek a new home and a new opportunity. When the Old World offered no hope and little security or permanency, a New World was at hand for him and all who demand liberty as the first condition of existence.

On August 2nd, 1492, the great majority of the Jews of Spain were expelled, and after a brief stay in Portugal were scattered like criminals and outcasts among the nations. The act of expulsion was the culmination of a series of oppressions which ended their golden era in Spain in a night of unexampled horror. Turkey, Palestine, Venice, Poland, and Holland received the fugitives, who were long to feel the hand of their enemies even in apparent security. Thousands, however, still remained in Spain and Portugal who continued at heart Jews and secretly observed their ancestral customs, although outwardly they were good Catholics and leaders in church and state.

A day after the exile from Spain—one of those curious coincidences which occur so frequently in history as to be termed "providential"—Columbus set sail from Palos on his first eventful voyage. The close connection between the Jews and the discovery of America has now fairly been proved. It is known that several men of Jewish birth accompanied the Genoese, among them Luis de Torres, his interpreter; while his Jewish patron, Santangel, received from Columbus the first account of his discovery. Not only did astronomical works and scientific instruments prepared by Jews assist him greatly, but it was men of Jewish descent who finally succeeded in securing for him Queen Isabella's favor. In addition, the confiscated property of the unfortunate Jews was utilized for the expenses of the second voyage of Columbus. It was only historic justice, therefore, that America in later centuries should prove a welcome abiding-place for the Jewish people, and that the very steps which Spain took for their extermination should have paved the way for their signal prosperity—not the first time in history that an old-fashioned Biblical

sentence should have been verified, nor the first weapon forged against the Jew which has failed to achieve its purpose.

The first Jewish settler on North-American soil, whose name has been preserved, arrived at New Amsterdam on July 8th, 1654, followed later in the same year by a storm-tossed party of twenty-three, presumably from Brazil, which country had shared with Mexico, Peru, Surinam, and the West Indies in the era of colonial expansion after the discovery of America. Brazil, however, had proved an undesirable home after the Portuguese had wrested it in 1654 from the Dutch, and allowed the spirit of the Inquisition full sway. Many of their residents returned to Holland or set sail for the French settlements and elsewhere in the West Indies; but others turned hopefully to New Amsterdam, which, with its Dutch masters, gave promise of happier days. How Peter Stuyvesant received them harshly, how he threatened their exclusion, how the Dutch West India Company directed him to grant them liberty to remain and trade, how gradually they grew in numbers and importance, how they obtained under English rule a larger share of civil and religious freedom and were, with some exceptions, stout patriots in 1776, closing their synagogue when the British held New York,—these incidents form but the introductory chapter to the development of the community after 1812, when it began to furnish noteworthy names in the professions, in finance and trade. The list was largely increased with the decades before and after the Civil War, when its synagogues and benevolent institutions assumed statelier proportions. Hither came, in swift succession, all branches of the Jewish stock from the West Indies, Germany, Poland, Hungary, Rumania, and Russia, until now the small band of luckless refugees who had to endure a full measure of Stuyvesant's wrath in 1654 have grown into a population of half a million and more and are a vital factor in New York's greatness.

The Jews were not slow to settle in other parts of the United States. In 1655, some went to Newport, Rhode Island, from New Amsterdam, to seek a more genial atmosphere; and their numbers were increased by the friendly attitude of Roger Williams's commonwealth. A century later, the community was to become the most prosperous in the land, with merchants of standing who made Newport the commercial capital years before New York assumed that dignity. The Touro synagogue and cemetery, the

Lopez wharf, are reminders of old-time Jewish prominence and leadership in lines of industry. Philadelphia traces its earliest Jewish settler to 1703; its community kept pace with the general growth and supplied its quota of eminent names in science, education and philanthropy.

In the South, the Jewish pioneers came early. They reached Georgia soon after Oglethorpe had founded the colony and were admitted as settlers in 1733. Like their brethren in New York and Philadelphia, they were resolute patriots in the Revolution; while, in South Carolina, Francis Salvador died too early to participate in the struggle, but was of the same patriotic type as Haym Salomon, who so powerfully aided in maintaining the Republic's credit, and upon whose favor James Madison called himself a pensioner; G. M. Seixas, the "patriot minister" of New York; Barnard and Michael Gratz of Philadelphia, stanch in their patriotism; and others of their calibre who rallied in defence of American freedom.

The energy, persistence, and public spirit which marked the Jewish pioneers in the seventeenth and eighteenth centuries, when they participated in the activities of colonial times and contributed their share in the early decades of the Republic, were similarly displayed by their successors in the nineteenth century. They were among the settlers when the Ohio Valley was to be changed into busy cities and when Texas, California and Oregon were to be admitted to Statehood. In the early development of Texas they took part in comparatively large numbers, both in the field and the halls of legislation, and Galveston recalls some of them in grateful memory. Among the eager gold-seekers in California, not many years passed before they became prominent in law, medicine, art, finance and trade; while the Alaska seal-fisheries and mineral resources, the coal-fields of the Northwest and Canada, were to a great extent developed by the genius for enterprise of the California Jews. Perhaps in no single State in so short a time can so many notable names be mentioned in varied lines of usefulness. A similar activity was shown in Oregon, where, despite the limited Jewish population, national and State positions have been filled by the pioneers and their successors.

From this necessarily brief summary one fact is clear—that the genial American atmosphere, in which all creeds and na-

tionalities so wondrously flourish, has been distinctly favorable to the Jew's advancement. Think how the Roman Catholics, and Baptists, and Methodists have gained in numbers, wealth, and prestige on American soil in the past hundred years. Such conditions, however, are peculiarly stimulating to the Israelite, who is only emerging from practical serfdom and repression in nearly every land, and who now, for the first time in centuries on so large a scale, is enabled to show his versatility, strength, ability, and character. He is practically unlimited in ambition and scope—with every profession and pursuit open to him. He is thus completely identified with his American environment, differing in no way from his non-Jewish neighbor, save in religious belief. He resents being singled out as peculiar or un-American, if thereby it is inferred that he is an alien. Judaism is as much at home in America as is Christianity; it is neither an anachronism nor a fossil.

What are the Jew's lines of occupation? He is active in business; he succeeds or fails according to his abilities. He enters every profession, is architect as well as plumber, is machinist, inventor, engineer, as well as merchant, lawyer, broker, pedler, drummer, or wage-earner in the sweat-shops. He can own mines or build theatres, run a ranch or a hotel. He can graduate from West Point or Annapolis, be painter or sculptor, financier or steamboat captain, motorman or policeman, steeple-jack or street-musician. He is emphatically no multi-millionaire, as some Baptists are, nor can it be said of him, as was stated a few years ago of Presbyterians, that sixteen prominent bank and trust company presidents in New York city were of that church and in good standing. His wealth is absurdly overrated: doubtless the proverb "as rich as a Jew" has much to answer for. Great masses of his people, not recent accessions exclusively, live from hand to mouth. A glance at the records of Jewish charitable societies in the large cities would show how widespread is Jewish poverty. He has his millionaires, it is true, in New York, Chicago, Philadelphia, San Francisco, but the number is very limited. Moderate fortunes, due to thrift and enterprise, are more common; but even these are not so numerous as is popularly supposed. It was easier to disprove the notion that heretics had tails than that all Jews are rich.

What have been the Jew's contributions to the United States?

The United States receives various benefits from the creeds and classes that seek its shores; it is influenced by all in varied fashion, from the days of the Pilgrim Fathers in New England to the era of Italian and Russian immigration at New York. What characteristics have been most promising in the Jew's record of 250 years? What traits most positive for good?

First, his spirit of enterprise. It is this quality which placed him among the pioneers in the East and West, as trader and producer, developing new lines of industry or perfecting the old, and adding immensely to the aggregate of America's wealth. Ambitious, persistent, and undaunted by circumstance, he developed from small beginnings to attain remarkable success. Restless ambition spurred him to fresh endeavor until the goal was reached and fortune won. Hardly a town in the United States but bears witness to his activity, particularly in lines which are capable of wide extension. He has developed the little notions-counter into the department store, for example, with a completeness that would have been incredible a few decades ago.

Second, his breadth of view. The representative American Jew is never a bigot—he respects his neighbor's faith and usually gives to charities without distinction of creed, in the spirit of Adolph Hallgarten, whose bequests to institutions of various creeds included our colored brethren. He is quick to meet his neighbor on common ground, so broadening in our time; and on Thanksgiving Day and other occasions he is glad to welcome his Christian brother to his pulpit. In periods of stress, as in the Paterson fire of 1902, the synagogue is opened cordially to the church without thought of payment, even for an occupancy of several years. He recognizes his new environment and has outgrown the Ghetto point of view, at whatever cost to cherished traditions. He is quick to adopt in education and charity the best modern methods, and joins cheerfully in movements for social reform and civic progress. Judaism is to him a broad universalism, which demands active participation in the life of the day—a looking forward and not backward.

Third, his patriotism. The Jew is intensely an American. His patriotism is almost a religion. His pride in the Republic is unsurpassed. The flag-drill seen at its best among the thousand children of recently arrived emigrants from Russia at the Educational Alliance, New York, is strikingly characteristic. Even as

children, they are taught to revere "One Country, One Flag!" It is not merely out of gratitude that the Jew reveres America as his native or adopted land—his feeling springs as well from the consciousness that only where civil and religious liberty is assured can the Jew call any land his own. Hence his children love to sing the hymn "America," although, as in the case of recent immigrants in general, it is not a "land where our fathers died." The Jew ceases to be a Pole, a German, a Russian, after the first generation has graduated from the public schools—he becomes an American. This sentiment accounts for the large number that volunteered in the Spanish War, whether as rough-riders or ordinary soldiers and seamen. He fought as bravely for the South as for the Union in the Civil War. He took part in the Revolution and the War of 1812.

But his most valuable trait is his love of education. The spirit that moves a poor pedler in a New York Jewish quarter to study Kant's philosophy while on his rounds, or to read in faithful translation Herbert Spencer or Darwin, is peculiar to the Jew and proves his moral superiority though his garments be torn and his occupation lowly. The same spirit impels the poorest to send his children to the public school and to aid them at great personal sacrifice to study for the learned professions; for he knows that education is the most enduring wealth he can bequeath. That Jewish students at school and college are among the most successful is the general testimony of teachers in every city; and, apart from natural aptitude, their high standing is due to the interest evinced by their parents and the value assigned to education. It is suggestive to note that attention is being paid more and more to manual and technical training, with some good effort in the direction of agricultural pursuits. There is little doubt that the study of the Talmud for ten centuries and more has done much to develop his brain-fibre and make almost innate a love of learning which neither poverty nor privation can weaken, and which prosperity—that ruthless solvent of old-fashioned virtues—cannot wholly destroy. It is encouraging to note the same spirit among the wealthier element, an increasing number of whose sons are turning from trade and entering the learned professions, where pecuniary advantages are least regarded.

With positive qualities for good, then, and the list is not exhausted, and with such an honorable record for the past 250 years,

what of the future of the Jews of the United States? Is there no rift within the lute, no shadow on the dial, no reverse side to the mirror which exhibits so many admirable qualities?

The rapid increase in the Jewish population, due chiefly to emigration from Russia since 1881, has furnished a problem of considerable magnitude, which has severely taxed the energies of their American brethren. Yet the burden has been patiently and cheerfully borne and the solution is satisfactorily taking place without friction or annoyance. Save in overcrowded city centres, where foreign nationalities fasten root and thrive, the newcomers offer no problem at all and are proving an energetic and Americanized element of the people. They are spreading out in all directions, entering the various lines of trade and manufacture, and the more effectively they are distributed throughout the country, with many of them taking to the soil, they cease to be a subject of special concern. The diverse elements in American Jewry offer precisely the same difficulties as are presented by diverse elements in the general population and need arouse no greater apprehension. Unification is slow but sure in both instances, and one must patiently await results which cannot be hastened. What clouds, then, the future?

It is often said that certain tendencies in American thought are sapping the bulwarks of supernaturalism and thereby endangering vital Christian dogmas and doctrines. The peril to Judaism is less in a wave of agnostic or sceptical thought than in actual conditions of life and environment, which make Judaism almost impossible without a radical readjustment either of conditions or of Judaism. It is admittedly more and more difficult to maintain olden customs and observances which were deemed inviolable a few decades ago; and, if the destructive process continues much further, what will be left of Judaism to be transmitted to the future? A very minute and unrecognizable quantity, indeed. The Jewish Sabbath is practically disregarded. Home ceremonials, which have so magically promoted family love and unity, have almost wholly vanished. If American liberty spells for the American Israelite disloyalty to his religion, it is not an unmixed blessing. There are many Israelites by birth, too, who never attend synagogue, refuse to associate with Jewry, and court Christian society as evidence of a superior culture and refinement,—some, but only a few of the first genera-

tion, submitting to baptism. Intermarriage is on the increase undoubtedly; few families are entirely free from what has always been regarded by the Jew as a bar sinister, not from any intolerance, but simply because, if it is a natural solution of the Jewish question, it means also an inevitable dissolution of the Jew.

Now, it is possible to take too seriously these departures from the normal, these examples of desertion and disloyalty; for they are no new phenomena and have always existed, accounting partly for the world's small Jewish population. It is only the remnant that has been preserved, to maintain the faith in every era and to spring to new life and activity after each exodus or captivity. The same truth will be exemplified in the United States. There are, however, none the less hopeful signs that indicate a desire for restoration and upbuilding, and a resolution to be loyal to old-time standards. An increased impetus has been given to the training of rabbis; a publication society is doing excellent work; circuit preaching is organizing new communities in the West; the women are banded together for helpful educational effort; while recent immigration has brought to our shores some men of learning and religious enthusiasm, who will prove useful in restraining further inroads of American tidal-waves, if they are ever to be restrained. American Jewish leaders, too, while apparently lacking in qualities of statesmanship, are alive to present dangers. No *laissez-faire* policy can cope with disorganizing elements that have gained such headway. To avert a catastrophe, the Jew must return to Judaism and its essentials; and his leaders must bend every nerve to reconcile American conditions with Jewish traditions. Adaptation is possible without surrender; and the genius of the Jewish people which has withstood an almost continuous crucifixion of nearly 2,000 years is not likely to yield to Yankee notions and American expansion. It will prove, however, an interesting and spirited struggle between forces that resist and forces that invite amalgamation and dissolution. Much ballast and many barnacles from European, Asiatic, and African eras of history will have to be cast away. It is needless to be apprehensive about the next 250 years of American Israel. The remnant will survive and what is vital and essential in Judaism, and not accidental or Occidental merely, will have awakened to renewed and blessed activity.

ABRAM S. ISAACS.

BLACK MASTERS: A SIDE-LIGHT ON SLAVERY.

BY CALVIN DILL WILSON.

THE most singular and dramatic aspect of slavery in the United States was the occasional ownership of bondsmen by free blacks. Historically, the facts are obscure, little known and difficult to trace; this phase is overlooked by historians, so far as I am aware, and is lost from the memories of most people of this generation; I have asked dozens of Southern people, of advanced years, about negroes owning slaves, and have been told that they "never heard of such a thing." Psychologically, after all we have read and heard of the pathos and tragedy of negro slavery, it is of strange interest and unaccountable inconsistency that the negroes themselves should at times have had no apparent compunction in regard to buying their fellows at the block, continuing them in enforced and unremunerated toil, and at times treating them with cruelty and reducing them to the depths of humiliation and degradation. The mere lust of gain by the toil of others could not altogether account for this wrench of nature, since slave labor could be hired as well as bought, and hired workers would have served the ends of greed as well or better. It would commonly have been cheaper for a free black to hire the slaves of others than to risk his money in their ownership, and to provide lodgings, clothes and food for them. In many cases the free blacks did pursue this course. But there was a deeper passion than love of gain in this unnatural arrangement, and this was ambition; it was the cold and selfish desire to attain a real or an apparent superiority over other blacks; it was ambition to rise into the class of masters, and to stand, so far as possible, on the same level as white men.

But there were those who had far different motives. Free

colored men sometimes owned their wives and children; and free colored women owned their families, and continued this ownership for reasons that were creditable to them. By this legal possession they kept the members of their families safe from the operation of local laws that were invidious to free blacks. Some of the States had laws that bore hard on free blacks; for certain periods there were laws that compelled a manumitted slave to leave his State; thus a negro who freed his family might have decreed their separation from himself. There were, also, free blacks who purchased others for the purpose of manumitting them; but this class is not of importance to us in discussing the actual ownership of slaves by free blacks.

It may be of interest to the reader to indicate something of the obscurity of this subject by a few statements. I know of no history of the United States, or history of slavery or history of a slave State that even hints at it, with the exception of one book which will presently be mentioned. My researches, while an effort has been made to be thorough, may have overlooked books that touch upon it. But the Librarian of Congress directed me to one volume only, and that but barely glances at the subject. From other librarians I have been able to get no assistance, save in another instance in which I was directed to the volume spoken of above. Mr. Booker T. Washington wrote: "My own personal recollections bring no cases to mind of free black men owning slaves, nor am I able to refer you to any books making reference to this phase of slavery, in case it did exist." General Warren Keifer, who is particularly well versed in American history, wrote: "I have no data to which I could refer you on the subject of the ownership of negro slaves by free negroes." Dr. George Archer, one of the best local historians in Maryland, could only say that he could not give me the desired information, though he recalled a single item from the local records of Harford County, Maryland, in which a free negro had owned and had freed one or more slaves, but after search he was unable to find this item. He gave, however, instances in which free negroes bought their wives and children from their masters and emancipated them; all so emancipated were, by an Act of Assembly in 1831, required to be sent out of the State, the Orphan's Court being empowered to allow them to remain if so minded. The same gentleman later wrote that he had made inquiries at the

county seat, had put the question to all the prominent lawyers of the bar who often had reason to search the records on all manner of subjects; but none of them had ever seen or heard of a case of the kind. He next inquired of the County Clerk and the Register of Wills, who have held their respective positions for many years, and their answers were identical with those of the legal fraternity. He then got their directions as to where in the records he would be most likely to find such items, if existing, and made researches accordingly; but not a trace could he find. He then questioned several persons noted for their fondness for inquiries in local history; but the result was the same. He then searched the histories of Maryland, from Bozman to Scharf, but with like result. The Virginia State Librarian wrote that he was unable to obtain any information concerning slaves held by free blacks, though he believed such ownership had been practised in Virginia; but he stated that it was a very common thing in Louisiana. A prominent colored man of Mound Bayou, Mississippi, to whom I had been referred by Booker Washington, Isaiah T. Montgomery, stated: "I do not remember that I ever saw any free colored people prior to Emancipation, and believe there were few, if any, instances where they owned slaves in this State. I have, however, heard that this condition prevailed in some of the sugar districts of Louisiana, and your communication has been referred to a competent friend in that State." He wrote me again stating that he had interviewed an aged colored man, whom he called "Father Johnson," who was "one of our most highly respected *ante-bellum* citizens," and belonged to "what was known as the favored class." This aged man said, in regard to free colored people residing in the South prior to the war: "There was very little pleasure in their existence. Every year they were compelled to have fresh papers filed by some white guardian. They were not allowed to be visited by slaves or to have companionship with them. When attending church, walking the roads, in fact in all places, they were compelled to keep apart from slaves."

The Clerk of Talbot County, Maryland, wrote that "no such condition existed in this county, and there are no records of such a condition"; the like officer of Queen Anne County made a similar reply. As the court-house of Frederick County was burned a number of years ago, there is no means of ascertaining

conditions there; Worcester County has no such records. The Clerk of Princess Anne Court-house wrote that "such a thing as a negro owning another of his race was not known in this county." The Rev. Dr. A. M. Green, of the General Conference of the A. M. E. Church, wrote from New Orleans:

"There is any quantity of traditionary information, but you know that it is not worth much in a search after truth. I have heard a great deal along the line of this inquiry, but very little that could be vouched for. Among the official Board and Quarterly Conference proceedings of St. James's Chapel, A. M. E., I have read of three cases being tried for owning slaves; in each of these cases it was made apparent to the satisfaction of the church that the owners of slaves thus charged had purchased them for the sole purpose of emancipating them. These cases occurred between 1849 and 1856; when, where or how the emancipation took place, if ever, does not appear among the records of St. James's. These trials were for violation of the Discipline and Rules of our church. I suppose there are but few persons now living who know anything of the events of that period in our church. There are many things along this line of great interest to me, and to others if they could be so brought out as to attract the attention of the New Negro as well as the New White youth of our country North and South."

This letter gives us the additional information that the owning of slaves by free negroes was contrary to the Discipline of the A. M. E. Church; by inference, the practice could not have been uncommon, or there would have been no reason for ecclesiastical rulings. Dr. Hodges, of the Cincinnati Public Library, informed me that some years ago there was pointed out to him in Statesburg, South Carolina, a house, with iron-barred windows, in which he was told a negro blacksmith, who had been noted for cruelty to his slaves, had been used to confine his blacks. Mr. Alexander Hill, one of the best-informed men on books in Cincinnati, was unable to give any clue to information upon this matter, except to direct me to correspond with the editor of "The Antiquary," at Norfolk, Virginia. On correspondence with Mr. Edward W. James, at the Virginia Club, Norfolk, I learned that "The Antiquary" contains a few references to negroes owning slaves.

Mr. Florien Giaugus, of Glendale, Ohio, suggested that I write to Mr. Charles W. Elam, a prominent lawyer at Mansfield, Louisiana, who was able to say only, "I have been unable to find any witnesses in this parish of the ownership of negroes by free

blacks"; but he gave me references to gentlemen who might afford me information. The Hon. B. F. Jonas, of New Orleans, replied:

"A great many slaves were owned by free blacks before the war, not only in this State, but throughout the South. In this State, there were quite a large number of colored slave-owners, most of whom were of the class known as 'quadroons,' but some of them were mulattoes and full-blood negroes, who, as a rule, inherited property and afterward added to it, probably by purchase. Free colored people had a right to the ownership and possession of slave property, as well as movable property and other real estate,—slave property having been considered real estate under our laws at that period. I have never heard of a case where a free black owner of slaves voluntarily manumitted his slaves. On the contrary, they were as a rule considered hard task-masters, who got out of their slave property all that they could. I suppose that proof of this and the names of slave-owners could be obtained from an examination of the assessment rolls of the City of New Orleans and the parishes, previous to the war; but this is so long ago that the information could probably not be obtained without a great deal of labor and investigation."

The Hon. Phanor Breazeale, of Natchitoches, Louisiana, to whom Mr. Elam also referred me, wrote:

"This, Natchitoches, my own town, is the oldest town of the Louisiana Purchase, and the legal records date back to 1708. The Parish, synonymous with County, is one of the largest in territory and population in the State, and of recent years has been known as a black county, that is to say, the negro population was a little in excess of the white population. Assuming that the records of the Parish are a fair criterion by which to judge the other old parishes of the State, it was not an uncommon feature of slavery to find that free blacks owned slaves; but, on the contrary, there were, prior to the war, quite a number of 'free colored people,' as they were called, who were owners of slaves; some of these free colored people in this Parish were quite wealthy. I have in mind a lawsuit I brought a few years ago for the ownership of a piece of land in this Parish; and, in the course of litigation, I traced back the title about eighty years, and found that there was a French nobleman settled here who reared a family of negroes, living in concubinage with a 'free colored woman'; they had several children; of course he never married the woman and his children were illegitimate, but free as being the issue of a white man and free colored woman. He left a will giving his property one-half to the mother of his children and the remainder in equal portions to the children. The inventory in this succession was appraised at some one hundred and three thousand dollars, including lands and slaves. This will was contested by a brother who lived in France, and resulted in a compromise

whereby the children were given a large plantation with ten slaves, the mother getting the usufruct of this property. This is an instance of the conditions existing at that time. The records here disclose sales to, and from, free colored people of slaves. I do not recall any instance, in examining the records, of having found a case where a free black owner voluntarily manumitted his slaves. It is very probable that a careful investigation of the records would disclose instances where some particular slave was manumitted by his free black owner from motives of attachment, by reason of loyal and faithful service to the owner; but I do not believe the records will disclose any case of manumission of all the slaves owned by free black persons. This latter, as you know, has very frequently been done by white owners; for instance, my great-grandfather, a lawyer of prominence, owned many slaves both in Mississippi and in Louisiana, and by will manumitted all his slaves and provided for their transportation to Africa. As a matter of interest in studying this phase of slavery, I have found by inquiry from old people that free black owners were as a usual thing much more severe on their slaves than the white owners. Personally, I know nothing of these facts, as I was born too late; yet I feel that the above criticism is correct, not only because it can be reconciled with phases of human nature, but because of the fact that now in this Parish the colony of 'free colored people' have preserved in the forty years since the war absolutely intact their status, and have positively refused to come in contact with the freed slaves, either socially or otherwise. These 'free colored people' were a distinct type, as you no doubt know; they were either quadroons or octoroons, and not manumitted slaves. If a negro ever became owner of slaves after his manumission, it is not known, so far as the records* show or I have been able to learn by inquiry."

That the free negroes had not always conscience or sentiment against slavery is indicated by the fact that James Clark, a free negro, enlisted in Company K, Twenty-eighth Georgia Regiment (Captain Wilcox), as a fifer, and went through the Civil War; he is now 104 years old, and has applied for a pension from the State of Georgia for service in the Confederate army. We may presume that he knew that the success of his cause would, in all probability, have continued slavery. Mr. E. W. James* comments thus on "Betsy Fuller, Free Black, and her husband":

"The wife owned the husband. It was not an uncommon thing in the Southern States for enterprising negro women to own their husbands. At the outbreak of the War of Secession, an industrious negress, a huckstress in the Norfolk market, owned her husband. He was an

* In "The Lower Norfolk County (Va.), Antiquary," in a foot-note (Vol. 4. Page 177) to a "List of Slave Owners, Princess Anne Co., 1840."

ardent Secessionist, and was in full sympathy with the firing on and the fall of Fort Sumter. After Norfolk was evacuated and was occupied by the Federal forces, he was loud in his expression of Southern views, and was at one time in the chain gang, with an iron ball attached to one of his feet, because of expression of opinions obnoxious to the military. No slave-trader was ever more fully convinced that the negroes were made for slavery."

Our present views of slavery had not universally penetrated the minds of the colored people themselves in *ante-bellum* days!

Father Johnson, already referred to, wrote:

"A white man named Fitzgerald, a planter, owned a plantation and slaves in the vicinity of Natchez, Adams County, Mississippi, and he had as a wife a very dark colored woman; they had two sons, George and James Fitzgerald. At the death of the father, the plantation and slaves were inherited by the children under a will. The slaves and plantation were held by the heirs until freed by the War. Both of the Fitzgerald boys selected slave women, belonging to a Colonel Wood, as wives, and sought to purchase them. Colonel Wood declined to sell, but consented to what was known as 'blanket marriages.' The younger son, James, afterward gave up his wife, although several children had been born to them, and finally left the country, declaring that he did not want a slave woman for a wife. The elder brother, George, remained and continued to consort with his slave wife, up to his death after the War. He grieved himself to death over the results of the War, by which he lost his slaves. Colonel Wood filed papers regularly every year as George Fitzgerald's guardian, according to the law which required that free negroes should annually file papers proving their right to freedom. The mother of these men, old Mrs. Fitzgerald, was somewhat careful of her slaves; when it rained, she would have them come in from the garden."

Mr. D. C. Scarborough, of Natchitoches, Louisiana, wrote:

"There are many data to be had by examining the old records of this Parish on the subject of the purchase, ownership and sale of slaves by free blacks. The truth of the matter is that free blacks owned, bought and sold slaves as did the whites. The succession of C. N. Roques in this Parish is a case in which a free black owned some hundred or so slaves, all of whom were freed by the Proclamation of Emancipation. We do not recollect any special legislation authorizing the ownership of negroes by free blacks. When a slave became free he bought and sold fully under the law, just as any other citizen did; there was no longer any distinction. In many of the old deeds it is recited that A. B., 'being a free person of color,' etc. History will show that the free blacks who owned slaves rarely if ever emancipated them. Slaves who were emancipated were, as a rule, emancipated by white owners; and this emancipation by white owners is the manner in which free

blacks came into existence. There was a very large number of these in this Parish, some of the richest people in the Parish being free persons of color. On tracing back the history of these families, it is generally found that they were emancipated by former white owners. There are four or five such families that married and intermarried until they were all related. In some instances, there were to be found as many as one hundred and fifty voters in one ward of these free persons of color; their descendants live here yet. As a rule, these families took the name of their former master who freed them. A large per cent. of those in this parish are named Metoyer, one of the old rich Metoyers having freed some of his slaves. The same is true of the Dupré family and of the Rachal family; there being as many free colored Rachals as there were white at the close of the war. This general outline can be very generally verified by copies of old records here."

We are to remember, in connection with the conditions in Louisiana, that a general trait of French and Spanish colonists in all countries has been that they have commonly recognized and provided for the wives taken from among native women, negro, Indian, or any other nationality, and that they have acknowledged and provided for their children; while the Anglo-Saxon, as a rule, leaves these women and children to shift for themselves.

But in Maryland still other phases of this matter are to be studied. In Maryland, pure blacks who had themselves been slaves and had been manumitted were frequently slave-owners. In that State, also, we are able to find instances of a kind asserted by some of our Louisiana correspondents to have been unknown in their own, of voluntary manumissions by these black masters of their slaves; and not only the emancipation of their slave wives and children, but of all those whom they held in bondage, thus indicating a change of heart in the matter. For this latter condition there were several contributing causes; one of these was that in Maryland, in the latter part of the eighteenth century, Emancipation Societies were active, manumission by white owners was common, and the influence of this conduct spread to the free colored people who held other colored people in bondage.

It will be of interest to consider briefly some of the general conditions of the free negro and of the emancipation spirit in Maryland. On this subject, much valuable information can be gotten from "The Negro in Maryland, A Study of Slavery," by Jeffrey R. Brackett, the volume indicated to me by the Librarian of Congress as the only book he knew which bore upon my imme-

diate inquiry about free negroes who owned slaves and manumitted them; upon this particular point, however, the volume contains very little. About the year 1785, several Abolition Societies arose in Maryland and began uninterrupted work toward emancipation. Petitions were presented by them to the Legislature tending toward gradual abolition. In 1752, manumission in any way, during the last illness of the master, had been forbidden; but these Societies induced the Legislature to remove all restrictions from the voluntary emancipation of slaves. During the last decade of the eighteenth century there was a large increase in the number of slaves manumitted.

Many of these manumissions were accompanied by grants of land from the masters. In 1747, a citizen of Queen Anne County freed several slaves by his will, and also gave to them and their heirs a tract of land. A certain citizen by will freed nineteen slaves and gave them a great part of his real and personal estate; a niece of the testator attempted to break the will, but after several years of contest the will was established. A law was enacted that all slaves unable to support themselves should be supported by their masters, "in fitting food and clothing," and kept from begging. This legislation was caused by the fact that some masters had used their slaves as long as they were profitable and had then turned them adrift to burden the community. Under the new ruling, slaves to be manumitted must be sound in mind and body, capable of labor and not over fifty years of age. It was enacted that all manumissions must be in writing, under hand and seal of two witnesses; the papers to be acknowledged and endorsed by a justice, and then recorded within six months in the clerk's office of the county. The cost for recording a deed of manumission was the ordinary trivial fee for record; and a certified copy of a deed was deemed good evidence of freedom.

The number of free colored persons in Maryland was small, and there was little mention of them until the close of the eighteenth century. Griffith's "Annals of Baltimore" states that the population of Baltimore County, including the later Harford County, in 1752 included one hundred and sixteen mulatto slaves, one hundred and ninety-six free mulattoes, four thousand and twenty-seven negro slaves and eight free negroes. "The distinction between negroes and mulattoes is interesting," says Mr. Brackett; and this distinction is to be kept in mind in noting the

manumissions in Maryland. When a "free negro" manumits, it means that this is done by a negro, not by a mulatto. The census of 1790 gives about eight thousand free colored persons in the State; some of these, or their ancestors, had come as free men, most had been manumitted. By the Convention of 1776, the right of suffrage was given to all freemen who held a certain amount of property; and it is certain that some free negroes voted in the early years of the State. In 1782, the Assembly of Virginia passed an Act permitting the manumission of slaves; Judge Tucker of Virginia estimated that, from 1782 to 1791, ten thousand slaves were liberated in Virginia by their masters.

There were many free negroes in Maryland who owned small houses and pieces of land.

"The acts of incorporation of some savings-banks limited depositors to white persons; others could receive from any persons. In Annapolis, for instance, several free blacks were depositors, and one at least owned shares of the bank stock.

"From the earliest history of Maryland, free negroes have been allowed to sue in the courts, as well as to hold both real and personal property. The education of free negroes and of slaves was not forbidden by law in Maryland; but the black was indebted for what he got to the interest of individuals or of such societies as the Society of Friends."

Mr. Brackett says:

"Free negroes not infrequently owned as slaves their wives and children, whom they feared, perhaps, to manumit, lest the right to residence be questioned. It would seem also that other free negroes owned and hired slaves, as did their white neighbors. We hear of one free black, of Dorchester County, receiving payment for a slave whom he had bought for a term of years, and who was sold out of the State for crime by the court. In 1827 a member for the same county had introduced a bill to forbid any one who owned slaves for life, or for a term of years, from hiring such to a free negro there. Kent and Somerset were added to Dorchester and, later, Worcester and Anne Arundel were added and Kent struck out; and the Committee on Grievances, ordered to inquire into the expediency of preventing free blacks from purchasing slaves under any circumstances, reported that any legislation on the subject was inexpedient."

Mr. Brackett wrote during a visit to England:

"I regret that I am unable to help you, as my book was written a good while ago, and my odd notes of information not given in the book have not been kept. The position of free negroes in Maryland in the last

years of the eighteenth century was interesting; a few of them voted, and were full-fledged citizens."

An aged man, William W. Davis, eighty-eight years of age, who lives at Cambridge, Maryland, wrote concerning one Draper Thompson, free negro, who in 1824 bought and sold a negro man at public auction out of an estate for three hundred dollars. The record of this purchase is in the Dorchester County records (E. R., No. 9, folios 179 and 180). Mr. Davis says he knew Thompson well in his own boyhood, that at one time he lived on a large farm, the Cremona Tract; he did not allow his slaves to associate with his own family, but made them eat and sleep in a separate house; if a slave had occasion to enter his dwelling, he had to doff his hat and carry it under his arm while doing so. He sent his sons to Baltimore for an education. Mr. Davis adds: "Make a slave an overseer over his fellow slaves, as sometimes happened, and he would be three times as tyrannical as a white man."

Philip Roberts, a respectable colored man of Glendale, Ohio, who was a slave in Kentucky, told me that he knew "Old Free Isaac," in Trimble County, Kentucky, who owned several negroes; he said this same negro sold his own son and daughter South, one for $1,000, the other for $1,200.

Mr. Stevenson Archer, of Mississippi, states that he knew a pure-blooded negro, born free, by name Nori (a corruption of Le Noir), who had before the Civil War a large plantation in Mississippi, and owned about one hundred negroes. He was exacting, but not cruel, and he took excellent care of his slaves.

Mr. Charles Michael, of Harford County, Maryland, remembers the case of a negro who sold his children in order to purchase his wife. There were many instances in which negroes, who had purchased their own freedom and secured the ownership of their families, sold their children for life or for a term of years.

We give below citations from Maryland county records in which free negroes manumitted their slaves. The first instances are those of the freeing of wives and children:

"Know all men, by these presents, that I, Robert, lately a slave to Archibald Pattison, deceased, and sold by Peter Gordon, Administrator of said Archibald Pattison, to John Griffith, by whom I was manumitted according to law, do hereby, in consideration of the natural affection I bear to Rachel, whom I have taken as my wife, and whom I purchased of John Le Compte, deceased, manumit, enfranchise and set

at liberty the said Rachel from me, my heirs, Exor's & Admrs, from the date of these presents, in as perfect a manner as if she had been born so.'" *(March 9th, 1796. Record H. D., No. 9, fol. 162, Dorchester Co.)*

"Manumission by Cato, negro, of Dorchester County, Maryland—Being possessed of a wife and children who are by law my slaves, and being desirous to set them free, etc., wife Lucy, children, Leah, Milly, Mary, Horatio, Ephraim and Abraham.'" *(April 30th, 1798. Record H. D., No. 12, fol. 633, Dorchester Co.)*

"Manumission by Adam, negro, of Dorchester County, State of Maryland, of negro Phillis—'Having purchased my wife Phillis, and being desirous to secure her her liberty, etc., do therefore set free the said Phillis immediately.'" *(Aug. 17th, 1797. Record H. D., No. 12, fol. 255, Dorchester Co.)*

"Manumission by Oliver Cromwell, negro, of Dorchester County, State of Maryland, to Shadrach Cromwell—'Do release from slavery, etc., my son Shadrach Cromwell, acknowledging the said negro slave discharged, etc.'" *(Feb. 5th, 1818. Record E. R., No. 15, folio 16.)*

"Manumission by John Chapman, negro, of Dorchester County, State of Maryland, of Mary Chapman, negro—'Being 37 years of age and able to work and gain a sufficient livelihood, etc., do set free, etc.'" *(March 14th, 1818. Record E. R., No. 5, folio 40.)*"

The further citations are those of cases in which there was manumission by free negroes of slaves not related to them:

"Manumission by Henry Hughes, negro, of Dorchester County, State of Maryland, of negro, Ruth—'Being possessed of a negro woman—Ruth, and desirous to give her her legal manumission, etc.'" *(Dec. 14th, 1816. Record E. R., No. 4, folio 297.)*

"Manumission by John Driver, negro, of Dorchester County, State of Maryland, to sundry negroes—'Do set free and hereby release from slavery, 6 in number.'" *(May 28th, 1825. Record E. R., No. 9, folio 614.)*

The three records that follow form a connected story; first the negro is himself set free by his white master:

"Deed of manumission from William Meeds Satterfield, of Caroline County, to 'my negro man, Jem,' dated 10 June, 1790; acknowledged before Dr. Zabdiel Potter, of the commission of the peace for Caroline County, 10 June 1790; recorded in Liber W. R., No. C., fol. 118, on the 17th of June, A.D. 1790, by William Richardson, Clerk.

"'State of Maryland, Caroline County, to wit:

"'Whereas, a certain Black man, by the name of James Satterfield, heretofore, to wit: on the 10th day of June, 1790, was manumitted by a certain William Meeds Satterfield, to be free from the date thereof; and whereas the said Black man, James Satterfield, hath made application to me for a certificate of his freedom, agreeable to an Act of Assembly: Upon the oath of Elijah Satterfield that the said Black

man, called James Satterfield, is the identical person who was manumitted as aforesaid, I do hereby certify that the said Black man, called James Satterfield, is five feet three inches high, has small scar on his left hand made by the bite of a hog, and from the age expressed in the aforesaid manumission is about fifty-five years of age, was raised in Queen Anne County, in Tulley's Neck, and was removed to this county about the age of twenty-four years, and no other notable marks that I can discover *(sic)*. In testimony whereof I have set my hand and affixed the public seal of my office this tenth day of May, in the year of Our Lord 1808. Tho: Richardson, Clk. Caroline Co.: Ct.'" *(Recorded in Liber T. R., Certificates of Freedom, fol. 23.)*"

Now James has taken to slave-holding himself, but resolves to provide for the freedom of his slaves at his death:

"Caroline County, to wit:

"Be it remembered, That on the 19th day of October, in the year of our Lord 1802, came James Satterfield, free negro, and brought a manumission, with one endorsement thereon, and prayed to have the same enrolled amongst the Records of Caroline County; and on the same 19th day of Oct., in the year 1802, afsd., the same manumission and endorsement were enrolled as follows, to wit:

"'I, James Satterfield, free negro, of Caroline County and State of Maryland, do hereby set free from bondage, after my decease, one negro girl named Rachel, and one by the name of Hannah, which two girls I purchased of Elijah Satterfield, executor or administrator of William Fountain, late of the county afsd., deceased, and do for myself, my heirs, executors and administrators, or assigns, release unto the afsd. Rachel and Hannah, after my decease, all my right, and all my claim whatsoever, to be absolutely free from me or from my heirs, executors, administrators or assigns, or from any other person or persons whatsoever, thereby claiming any right or title whatsoever by, from or under me, or them.

"'In witness hereof, I have hereunto set my hand and seal, this 19th day of the tenth month, 1802.

"'James Satterfield X his mark. (Seal.)'

"Signed sealed and delivered in the presence of James Dixon, Seth Hill Evitts.

"Recorded in Liber T. R., No. H., folio 228, a Land Record for Caroline County, Md. Tho: Richardson, Clerk."

But, some years later, James decides to give these girls their freedom before his death. So we read:

"Deed of manumission by James Satterfield, negro, dated the 29th day of October, 1823—'I, James Satterfield, negro, of Caroline County in the State of Maryland, for divers good causes and considerations me thereunto moving, do hereby declare free, manumit and enfranchise the

negroes following, to wit: Hannah, about thirty-four years of age, on the first day of May last past; Kitty, about fifteen years of age, the second day of April last past; Rachel, about twelve years of age the fifteenth day of January last past; James, about nine years of age the seventh day of January last past; and Matthew, about five years of age the fifth day of May last past. Which said last-mentioned four negroes, viz.: Kitty, Rachel, James and Matthew, are the children of Hannah, also above mentioned. Rachel, about thirty-two years of age the first day of May last past, and her child, a negro boy called James, about six years of age in September last.'

"Recorded in Liber J. R., No. O., fol. 208, on the 29th day of October, 1823. Joseph Richardson, Clerk."

The following is the will of a free negro, named Ricksum Webb. It appears from memories of him that still survive that he was a rather superior man. He left several hundreds of acres of land, a large personal estate, and his descendants are now among the representative negroes in Caroline County. The name of Webb is a synonym for industry, thrift and intelligence in that county and is borne by many negroes. A like reputation is sustained by the Friends, mainly descended from Gabriel Friend, who was freed in the thirties by a white master. Ricksum Webb's son, James, owned one or more slaves up to the time of the Emancipation.

"Last will and Testament of Ricksum Webb, (negro), recorded in Will Record W. A. F., No. A., fol. 357, *et sq.* Directs that my servant Jerry shall serve my son James for the period of ten years after death of testator, and then to be free; to be given $50 a year during this service, and suitable clothing. Should Jerry abscond from service and be taken, to be sold for life to the highest bidder. In lieu of this service, to be sold to a resident of Maryland for not less than $400 for a period of ten years and then to be free. Said Jerry to have choice of purchasers. Servant Luke willed to son-in-law, Eben Hughes. Servant Asbury to be free at age of 35 years. Girl servant Ann to be free at age of 25. James Turner, of Queen Anne's, executor. Will dated 10 May, 1845. Proven, 27th March, 1846, before William A. Ford, Register of Wills for Caroline County."

Thus these dark faces look out upon us from the past, and the records and names from musty folios in old Maryland court-houses tell of a singular aspect of slavery.

CALVIN DILL WILSON.

THE MODERN NOVEL AND THE MODERN PLAY.

BY BRANDER MATTHEWS, PROFESSOR OF DRAMATIC LITERATURE IN COLUMBIA UNIVERSITY.

As we glance down the long history of literature, we cannot but remark that certain literary forms, the novel at one time and the drama at another, have achieved a sweeping popularity, seemingly out of all proportion to their actual merit at the moment when they were flourishing most luxuriantly. In these periods of undue expansion, the prevalent form absorbed many talents not naturally attracted toward it. In the beginning of the sixteenth century in England, for instance, the drama was more profitable, and therefore more alluring, than any other field of literary endeavor; and so it was that many a young fellow of poetic temperament adventured himself in the rude theatre of those spacious days, even though his native gift was only doubtfully dramatic. No reader of Peele's plays and of Greene's can fail to feel that these two gentle poets were, neither of them, born playmakers called to the stage by irresistible vocation. Two hundred years later, after Steele and Addison had set the pattern of the eighteenth-century essay, the drama was neglected, and every man of letters was likely to be found striving for the unattainable ease and charm of "The Tatler" and "The Spectator." Even the elephantine Johnson, congenitally incapable of airy nothings and prone always to "make little fishes talk like whales," disported ponderously in "The Idler" and "The Rambler." The vogue of the essay was fleeting also; and a century later it was followed by the vogue of the novel,—a vogue which has already endured longer than that of the essay, and which has not yet shown any signs of abating. Yet the history of literature reminds us that the literary form most in favor in one century is very likely

to drop out of fashion in the next; and we are justified in asking ourselves whether the novel is to be supreme in the twentieth century as it was in the nineteenth, or whether its popularity must surely wane like that of the essay.

Although the art of fiction must be almost as old as mankind itself, the prose novel, as we know it now, is a thing of yesterday only. It is not yet a hundred years since it established itself and claimed equality with the other forms of literature. Novelists there had been, no doubt, and of the highest rank; but it was not until after "Waverley" and its successors swept across Europe triumphant and overwhelming that a fiction in prose was admitted to full citizenship in the republic of letters. Nowadays, we are so accustomed to the novel and so familiar with its luxuriance in every modern language that we often forget its comparative youth. Yet we know that no one of the muses of old was assigned to the fostering of prose-fiction, a form of literary endeavor which the Greeks did not foresee. If we accept Fielding's contention that the history of "Tom Jones" must be considered as a prose-epic, we are justified in the belief that the muse of the epic is not now without fit occupation.

Indeed, the modern novel is not only the heir of the epic, it has also despoiled the drama, the lyric and the oration of part of their inheritance. "The Scarlet Letter," for example, has not a little of the lofty largeness and of the stately movement of true tragedy; "Paul and Virginia," again, abounds in a passionate self-revelation which is essentially lyric; and many a novel-with-a-purpose, needless to name here, displays its author's readiness to avail himself of all the devices of the orator. In fact, the novel is now so various and so many-sided that its hospitality is limitless. It welcomes alike the exotic eroticism of M. Pierre Loti and the cryptic cleverness of Mr. Henry James, the accumulated adventure of Dumas and the inexorable veracity of Tolstoy. It has tempted many a man who had no native endowment for it; Motley and Parkman and Froude risked themselves in imaginative fiction, as well as in the sterner history which was their real birthright. And so did Brougham, far more unfitted for prose-fiction than Johnson was for the graceful eighteenth-century essay or Peele and Greene for the acted drama. Perhaps it is a consequence of this variety of method, which lets it proffer itself to every passer-by, that we recognize in the Victorian novel

the plasticity of form and the laxity of structure which we have discovered to be characteristic of the Elizabethan drama.

In her encroaching on the domain of the other muses, the prose-epic has annexed far more from her comic and tragic sisters than from any of the other six. An opportunity for a most interesting inquiry awaits the alert scholar who shall undertake to tell the rivalry of the novel and the play, tracing their influence on each other and making a catalogue of their mutual borrowings. Although the record has no special significance, it may be noted that they have never hesitated to filch plots from each other, the playwrights appropriating the inventions of the novelists and the novelists levying on the works of the playwrights,—Shakespeare, the dramatist, finding the action of his "As You Like It" ready to his hand in a tale of Lodge's, and Le Sage, the story-teller, in his "Gil Blas" availing himself of scenes from Spanish comedies.

Far deeper, however, than any purloining of material are other interrelations of the novel and the play, which have been continually influencing one another, even when there was no hint of any plagiarism of subject-matter. The older of the two, the drama, long served as the model of prose-fiction; and not a few of the earlier practitioners of the later art began their literary careers as writers for the theatre, Le Sage for one, and, for another, Fielding. It is not to be wondered at that they were inclined to approach the novel a little as though it was a play, and to set their characters in motion with only a bare and summary indication of the appropriate environment. They were inclined to follow the swift methods proper enough on the stage, if not absolutely necessary there, instead of developing for themselves the more leisurely movement appropriate to prose-fiction. Both Fielding and Le Sage, it may be well to note, had profited greatly by their careful study of Molière and of his logical method of presenting character. In the "Princess of Cleves,"—perhaps the first effort at feminine psychology in fiction,—we discover the obvious impress of both Corneille and Racine on Madame de Lafayette,—the stiffening of the will to resolute self-sacrifice of the elder dramatic poet and the subtler analysis of motive dextrously attempted by the younger and more tender tragedian.

Just as Beaumarchais in the eighteenth century found his profit in a study of Le Sage's attitude toward life, so Augier in the nineteenth century, and still more, Dumas *fils,* responded to the

sharp stimulus of Balzac. The richer and far more complicated presentation of character which delights and amazes us in the "Human Comedy" was most suggestive to the younger generation of French dramatists; and no one can fail to see the reflection of Balzac in the "*Maître Guérin*" of Augier and in the "*Ami des Femmes*" of Dumas. And, in their turn, these plays and their fellows supplied a pattern to the novelist—to Daudet especially. A certain lack of largeness, a certain artificiality of action in Daudet's "*Fromont jeune et Risler aîné*," is probably to be ascribed to the fact that the story was first conceived in the form of a play, although it was actually written as a novel.

The British novelist with whom this French novelist is often compared, and with whom he had much in common, was also impressed profoundly by the theatre of his own time and of his own country. But Dickens was less fortunate than Daudet, in that the contemporary English stage did not afford a model as worthy of imitation as the contemporary French stage. Of course, the native genius of Dickens is indisputable, but his artistic ideals are painfully unsatisfactory. His letters show him forever straining after effects for their own sake only, and striving to put just so much humor and just so much pathos into each one of the successive monthly parts into which his stories were chopped up. Very fond of the theatre from his early youth, Dickens had come near going on the stage as an actor; and, in his search for effects, he borrowed inexpensive mysteries from contemporary melodrama, and he took from it the implacable and inexplicable villain ever involved in dark plottings. It is significant that "No Thoroughfare," the one play of his invention which was actually produced, was performed at the Adelphi, and was discovered then not to differ widely from the other robust and high-colored melodramas ordinarily acted at that hopelessly unliterary playhouse. Daudet, although he was not gifted with the splendid creative force of Dickens, inherited the Latin tradition of restraint and harmony and proportion; and he had before his eyes on the French stage the adroitly contrived comedies of Augier and of Dumas *fils*, models far more profitable to a novelist than the violent crudities of the Adelphi.

Perhaps there is more than a hint of ingratitude in Daudet's later disgust with the inherent limitations of the drama,—a disgust more forcibly phrased by his friends, Zola and Goncourt and

Flaubert, realists all of them, eager to capture the theatre also and to rule it in their own way. In their hands, the novel was an invading conqueror; and they had the arrogance that comes from an unforeseen success. They were all eager to take possession of the playhouse, and to repeat in that new field of art the profitable victories they had gained in the library. But they declined to admit that the drama was a special art, with a method of its own. They resented bitterly the failures that followed when they refused to accept the conditions of the actual theatre; and they protested shrilly against these conditions when they vainly essayed to fulfil them. "What a horrible manner of writing is that which suits the stage!" Flaubert complained to George Sand. "The ellipses, the suspensions, the interrogations must be lavished, if one wishes to have liveliness; and all these things, in themselves, are very ugly." In other words, Flaubert was concerned with the rhetoric of the written word, and he had no relish for the rhythm of spoken dialogue.

These French novelists refused to perceive that the drama is, of necessity, the most democratic of the arts, since it depends, and has always depended, and must ever depend, absolutely upon the public as a whole. The strength of the drama, its immense advantage over other forms of literature, lies in this, that it must appeal to the mass of men, not to the intelligent more than to the unintelligent, not to the educated more than to the uneducated, not to any sect or clique or coterie, but to men as men. The laws of the drama may be deduced, all of them, from this principle, that in the theatre the playmaker has to interest a gathering of his own contemporaries, all sorts and conditions of men. If he cannot hold their attention, move them, sway them, control them, then he has failed frankly to do what he set out to do. And he can do this, he can make them laugh, and make them weep, make them feel and make them think, only by accepting the conditions of the theatre itself. Daudet and Zola had more of the needful understanding of their fellow creatures than Flaubert and Goncourt, more of the necessary sympathy; but they had all of them not a little of the conceit of the self-made man and they assumed the egotistic attitude of the cultivated aristocrat. It would have been well if they could have taken to heart what George Sand once wrote to Flaubert: "It seems to me that your school does not consider enough the sub-

stance of things, and that it lingers too much on the surface. By dint of seeking for form, it lets go of the fact. It addresses itself to men of cultivation. But there are, strictly speaking, no men of cultivation, for we are, first of all, men."

Because the drama was popular, these artistic aristocrats despised it. Although they pined to succeed as playmakers, they scorned the trouble of mastering the methods of the theatre. Because the drama, at its highest, attained to the loftier levels of literature, they assumed that a man of letters had no need to spy out the secrets of the stage. If they could not apply in the play the methods they had been applying skilfully and successfully in the novel, so much the worse for the play. Evidently, the drama was not literature, and the theatre was no place for a literary man. The fault was not in them; it could not be, since they had regenerated the novel. It must be in the stage itself, and in the stupidity of the public.

In one of his most vigorous essays, M. Brunetière joined issue with this little group of French novelists, and told them sharply that they had better consider anew the theatrical practices and prejudices which seemed to them absurdly outworn, and which they disdained as born of mere chance and surviving only by tradition. He bid them ask themselves if these tricks of the trade, so to style them, were not due to the fact that the dramatist's art is a special art, having its own laws, its own conditions, its own conventions, inherent in the nature of the art itself. When they expressed their conviction that the method of the novel ought to be applicable to the play, M. Brunetière reported that, if the novel was the play and if the play was the novel, then in all accuracy there would be neither novel nor play, but only a single and undivided form; and he insisted that, if as a matter of fact this single form did not actually exist, if it had divided itself, if there was such a thing as a novel and such a thing as a play, then that could be only because we go to the theatre to get a specific pleasure which we cannot get in the library. The practical critic gave them the sound advice that, if they sought to succeed in the theatre as they had succeeded in the library, they should study the art of the playwright, endeavoring to perceive wherein it differs from the art of the story-teller.

The points of agreement between the novel and the play are so obvious that there is some excuse for overlooking the fact that

the points of disagreement are almost as numerous. It is true that, in the play as in the novel, a story is developed by means of characters whose conversation is reproduced. So the game of golf is like the game of lawn-tennis, in so far that there are in both balls to be placed by the aid of certain implements. But as the balls are different and as the implements are different, the two games are really not at all alike; and it is when they are played most skilfully and most strictly according to the rules that they are most unlike.

The play is least dramatic when it most closely resembles the novel, as it did in the days of Peele and Greene, whose dramas are little more than narratives presented in dialogue. In the three centuries since Peele and Greene, the play and the novel have been getting further and further away from each other. Each has been steadily specializing, seeking its true self, casting out the extraneous elements proved to be useless. The novel in its highest development is now a single narrative, no longer distended and delayed by intercalated tales, such as we find in "Don Quixote" and "Tom Jones," in "Wilhelm Meister" and in "Pickwick," inserted for no artistic reason, but merely because the author happened to have them on hand. The play in its highest development is now a single action, swiftly presented, and kept free from lyrical and oratorical digressions existing for their own sake and not aiding in the main purpose of the drama.

The practitioners of each art conceive their subjects in accordance with the necessities of that art, the novelist thinking in terms of the printed page and the dramatist thinking in terms of the actual theatre, with its actors and with its spectators. Here, indeed, is a chief reason why the perspective of the play is different from the perspective of the novel, in that the playwright must perforce take account of his audience, of its likes and its dislikes, of its traditions and its desires. The novelist need not give a thought to his readers, assured that those in sympathy with his attitude and his mood will find him out sooner or later. To the story-teller, readers may come singly and at intervals; but the playmaker must attract his audience in a mass. Much of the merely literary merit of a drama may be enjoyed by a lone reader under the library lamp; but its essential dramatic quality is completely and satisfactorily revealed only in front of the footlights when the theatre is filled with spectators.

It is this consciousness that his appeal is not to any individual man, but to man in the mass, that makes the dramatist what he is. To scattered readers, each sitting alone, an author may whisper many things which he would not dare blurt out before a crowd. The playwright knows that he can never whisper slyly; he must always speak out boldly so that all may hear him; and he must phrase what he has to say so as to please the boys in the gallery without insulting the women in the stage boxes. To the silent pressure of these unrelated spectators he responds by seeking the broadest basis for his play, by appealing to elemental human sympathy, by attempting themes with more or less of universality. It is because the drama is the most democratic of the arts that the dramatist cannot narrow himself as the novelist may, if he chooses; and it is because this breadth of appeal is inherent in the acted play that Aristotle held the drama to be a nobler form than the epic. "The dramatic poem," said Mr. Henry James some thirty years ago when he was dealing with Tennyson's "Queen Mary," "seems to me of all literary forms the very noblest. . . . More than any other work of literary art, it needs a masterly structure."

Whether nobler or not, the dramatic form has always had a powerful fascination for the novelists, who are forever casting longing eyes on the stage. Mr. James himself has tried it, and Mr. Howells and Mark Twain also. Balzac believed that he was destined to make his fortune in the theatre; and one of Thackeray's stories was made over out of a comedy, acted only by amateurs. Charles Reade called himself a dramatist forced to be a novelist by bad laws. Flaubert and the Goncourts, Zola and Daudet wrote original plays, without ever achieving the success which befell their efforts in prose-fiction. And now, in the opening years of the twentieth century, we see Mr. Barrie in London and M. Hervieu in Paris abandoning the novel in which they have triumphed for the far more precarious drama. Nor is it without significance that the professional playwrights seem to feel little or no temptation to turn story-tellers. Apparently the dramatic form is the more attractive and the more satisfactory, in spite of its greater difficulty and its greater danger.

Perhaps, indeed, we may discover in this difficulty and danger one reason why the drama is more interesting than prose-fiction. A true artist cannot but tire of a form that is too facile; and he

is ever yearning for a grapple with stubborn resistance. He delights in technic for its own sake, girding himself joyfully to vanquish its necessities. He is aware that an art which does not demand a severe apprenticeship for the slow mastery of its secrets will fail to call forth his full strength. He knows that it is bad for the art and unwholesome for the artist himself, when the conditions are so relaxed that he can take it carelessly.

It was a saying of the old bard of Brittany that "he who will not answer to the rudder must answer to the rocks"; and not a few writers of prose-fiction have made shipwreck because they gave no heed to this warning. Many a novelist is a sloven in the telling of his tale, beginning it anywhere and ending it somehow, distracting attention on characters of slight importance, huddling his incidents, confusing his narrative, simply because he has never troubled himself with the principles of construction and proportion with which every playwright must needs make himself familiar. Just as the architectural students at the Beaux-Arts in Paris are required to develop at the same time the elevation and the ground-plan and the cross-section of the edifice they are designing, so the playwright, while he is working out his plot, must be continually solving problems of exposition and of construction, of contrast and of climax. These are questions with which the ordinary novelist feels no need to concern himself, for the reading public makes no demand on him and there is nothing urging him to attain a high standard. It is curious to remark that the newspaper reviewers of current fiction very rarely comment on the construction of the novels they are considering.

In other words, the novel is too easy to be wholly satisfactory to an artist in literature. It is a loose form of hybrid ancestry; it may be of any length; and it may be told in any manner,—in letters, as an autobiography or as a narrative. It may gain praise by the possession of the mere externals of literature, by sheer style. It may seek to please by description of scenery, or by dissection of motive. It may be empty of action and filled with philosophy. It may be humorously perverse in its license of digression,—as it was in Sterne's hands, for example. It may be all things to all men: it is a very chameleon-weathercock. And it is too varied, too negligent, too lax to spur its writer to his utmost effort, to that stern struggle with technic which is a true artist's never-failing tonic.

On the other hand, the drama is a rigid form, limited to the three hours' traffic of the stage. Just as the decorative artist has to fill the space assigned to him and must respect the disposition of the architect, so the playwright must work his will within the requirements of the theatre, turning to advantage the restrictions which he should not evade. He must always appeal to the eye as well as to the ear, never forgetting that the drama, while it is in one aspect a department of literature, in another is a branch of the show-business. He must devise stage-settings at once novel, ingenious and plausible; and he must invent reasons for bringing together naturally the personages of his play in the single place where each of his acts passes. He must set his characters firm on their feet, each speaking for himself and revealing himself as he speaks; for they need to have internal vitality as they cannot be painted from the outside. He must see his creatures as well as hear them; and he must know always what they are doing and how they are looking when they are speaking. He cannot comment on them or explain them, or palliate their misdeeds. He must project them outside of himself; and he cannot be his own lecturer to discuss out their motives. He must get on without any attempt to point out the morality of his work, which remains implicit although it must be obvious. He must work easily within many bonds, seeming always to be free and unhampered; and he must turn to account these restrictions and find his profit in them, for they are the very qualities which differentiate the drama and make it what it is.

This essential difference of the drama from the novel is so keenly appreciated by every novelist who happens also to be a dramatist, that he is rarely tempted to treat the same theme in both forms, feeling instinctively that it belongs either to the stage or to the library. Often, of course, he writes a novel rather than a play, because he knows that a certain theme, adequate as it may be for a novel, lacks that essential struggle, that naked assertion of the human will, that clash of contending desires, which must be visible in a play if it is to sustain the interest of an audience. Many a tale, pleasing to thousands of readers because it abounds in brisk adventure, will not lend itself to successful dramatization because its many episodes are not related to a single straightforward conflict of forces.

When Mr. Gillette undertook to make a play out of the Sher-

lock Holmes stories, which were not really dramatic, however ingeniously packed with thrilling surprises, he seized at once on the sinister figure of Professor Moriarty, glimpsed only for a moment in a single tale, and he set this portentous villain up against his hero,—thereby displaying his mastery of a major principle of playmaking. Many a novel has seemed vulgarized on the stage, because the adapter had to wrench its structure in seeking a struggle strong enough to sustain the framework of a play. Many a story has been cheapened pitifully by the theatrical adapter, simply because he was incapable of seeing in it more than a series of striking scenes which could be hewn into dialogue for rough and ready representation on the stage, and because he had seized only his raw material, the bare skeleton of intrigue, without possessing the skill or the taste needed to convey across the footlights the subtle psychology which vitalized the original tale, or the evanescent atmosphere which wreathed it in charm. Mr. Bliss Perry phrased it most felicitously when he asserted that "a novel is typically as far removed from a play as a bird is from a fish," and that "the attempt to transform one into the other is apt to result in a sort of flying-fish, a betwixt-and-between thing."

We all know that the ultimate value of certain accepted works of fiction is to be found, not in the story itself or even in the characters, but rather in the interpretative comment with which the novelist has encompassed people and happenings commonplace enough; and we all can see that, when one of these stories is set on the stage, the comment must be stripped off, the incidents and the characters standing naked in their triteness. But this betrayal is not to be charged against dramatic form, for all that the dramatization did was to uncover brutally an inherent weakness which the novelist had hoped to hide.

The novelist has privileges denied to the playwright; and, chief among them, of course, is the right to explain his characters, to analyze their motives, to set forth every fleeting phase of emotion to which they are subject. Sidney Lanier asserted that the novel was a finer form than the drama because there were subtleties of feeling which Shakespeare could not make plain and George Eliot could. Unfortunately for Lanier, his admiration for George Eliot is felt now to be excessive; and few of us are ready to accept Gwendolen Harleth as a more delicate attempt at portraiture

than any one of half a score of Shakespeare's heroines, so convincingly feminine. But there is truth, no doubt, in the contention that the novel is freer, more fluid, more flexible than the play; and that there are themes and subjects unsuited to the stage and wholly within the control of the story-teller. To say this is but to repeat again that the drama is not prose-fiction and prose-fiction is not the drama,—just as painting is not sculpture and sculpture not painting.

But to emphasize this distinction is not to confess that the drama cannot do at all certain things which the novel does with unconscious ease. Is there no rich variety of self-analysis in "Macbeth," one may ask, and in "Hamlet"? Did any novelist of the seventeenth century lay bare the palpitations of the female heart more delicately than Racine? Did any novelist of the eighteenth century reveal a subtler insight into the hidden recesses of feminine psychology than Marivaux? It may be true enough that, in the nineteenth century, prose-fiction has been more fortunate than the drama, and that the novelists have achieved triumphs of insight and of subtlety denied to the dramatists. But who shall say that this immediate inferiority of the play to the novel is inherent in the form itself? Who will deny that it may be merely the defect of the playwrights of our time? Who will assert that a more accomplished dramatist may not come forward in the twentieth century to prove that the drama is a fit instrument for emotional dissection?

No one has more clearly indicated the limitations of the dramatic medium than Mr. A. B. Walkley, who once declared that the future career of the drama "is likely to be hampered by its inability to tell cultivated and curious people of to-day a tithe of the things they want to know. What the drama can tell, it can tell more emphatically than any other art. The novel, for instance, is but a report; the drama makes you an eye-witness of the thing in the doing. But then there is a whole world of things which cannot be done, of thoughts and moods and subconscious states which cannot be expressed on the stage and which can be expressed in the novel. In earlier ages, which could do with a narrow range of vivid sensations, the drama sufficed; it will not suffice for an age which wants an illimitable range of sensations, and, being quick in the uptake, can dispense with vividness." And then the brilliant critic of the London "Times" dwelt on

the meagreness of Ibsen's "Master-Builder" when contrasted with "the extraordinarily complicated texture of subtle thoughts and minute sensations" in Mr. James's "Wings of the Dove."

It may as well be confessed frankly that, even in the twenty-first century, the playhouse is unlikely to be hospitable to an "extraordinarily complicated texture of subtle thoughts and minute sensations"; but we may ask also if the playhouse will really be very much poorer by this inhospitality. Even though a subdivision of the public shall find a keen pleasure in them, there are other things in life than subtle thoughts and minute sensations; there are larger aspects of existence than those we find registered either in the "Wings of the Dove" or the "Master-Builder." The texture of Mr. James's book may be more complicated than that of Ibsen's play; but this is not entirely because one is a novel and the other a drama. Both works fail in breadth of appeal; they are narrow in their outlook on life, however skilful in craftsmanship they may be, each in its own way; they are devised for the dilettant, for the men of cultivation, and for them only; and that way danger lies. Taine dwelt on the disintegration impending when artists tended to appeal to the expert rather than to the public as a whole. "The sculptor," so he declared, "no longer addresses himself to a religious, civic community, but to a group of isolated lovers of the art." In the future as in the past, the appeal of the playwright must be to the main body of his contemporaries, even though this be at the risk of not fully satisfying one group or another.

The art of the dramatist is not yet at its richest; but it bristles with difficulties such as a strong man joys in overcoming. In this sharper difficulty is its most obvious advantage over the art of the novelist; and here is its chief attraction for the story-teller, weary of a method almost too easy to be worth while. Here is a reason why one may venture a doubt whether the novel, which has been dominant, not to say domineering, in the second half of the nineteenth century, may not have to face a more acute rivalry of the drama in the first half of the twentieth century. The vogue of the novel is not likely to wane speedily; but its supremacy may be challenged by the drama more swiftly than now seems likely.

BRANDER MATTHEWS.

OPPORTUNITIES AND RESPONSIBILITIES OF LEISURED WOMEN.

BY MRS. RUSSELL SAGE.

THERE is an immense amount of feminine talent and energy wasted in the world every day. This is not due to the indifference or the laziness of woman, for she is eager to do, to accomplish, to go out into the field of life and achieve for herself and for her kind. But she simply does not know how. One of the most important movements of the day, therefore, is the reawakening of woman, the building her up on a new basis of self-help and work for others. That movement will set loose an amount of energy and talent that will revolutionize our social life. In a recent article, entitled "A Plan for Girls with Nothing to Do," Mrs. Elsie Clews Parsons says:

"Strange to say, there is a large class of persons, exclusive of paupers and criminals, who, during a certain period of their lives at least, seem to be purposely shut out from opportunities for systematic activity of almost every kind. I refer to the large, and I think growing, class of young women who do not marry for a period of from five to ten years after they leave school or college. I refer also, of course, only to those members of the class who are not engaged in wage-earning occupations, or in systematic, although, as a survival of an earlier family system, unpaid domestic labor."

What I have to say concerns all our idle rich women, and does not apply in any way to women whose domestic requirements are so great as to preclude them from activity in other fields. Among the idle rich of to-day are many women whose families have grown up, so that they are largely relieved of household responsibility and occupation. Such women have much time, money and executive ability; but they do not know how to apply them. They only await suggestion, or, better still, good leader-

ship, to devote their powers to effective work. These women, finding their domestic occupation gone, drift quite naturally into club life; and clubs made up of this class are, as a rule, of a useful and beneficent nature.

The question broadly is, Is woman's sphere of usefulness becoming enlarged? Now, while it may not be expanding, still it is adjusting itself more effectively to her various talents. There is no doubt that woman's highest duty is the home, that her influence there is more powerful for the lasting good of mankind than anywhere else. But many women of high intelligence who are not married, or whose children have gone abroad into the world, carrying there the influence of their mothers' training to sweeten and strengthen their own homes, are bound by every law of morality to find a beneficent outlet for their powers. It is absurd to suggest that women who have a talent for music or literature or art should be enslaved by domestic drudgery, while the struggle for the civilization of the world is going on. As a matter of fact, many women with actual genius for household economy are contributing their influence through the press to the building up of artistic and hygienic homes, and thereby elevating the taste and promoting the health of the community. Would the influence of these women be so great if they were obscure in some remote village? A great percentage of the successful writers of the day are women, and their talent is more subtle and no less powerful than that of men. The theory that women are cowardly and capricious is a delusive outgrowth of the egotism of men. It does not require the citing of cases like that of Joan of Arc to refute such an absurd idea. The old saying that peace has its heroes as well as war is exemplified, I believe, almost exclusively in women. I verily believe that if one were to question indiscriminately a thousand men as to where they got their character, almost all of them would say: "My courage and stability came from my mother, my intelligence from my father."

I am not at all concerned with the question whether women are qualified to enter the fields of labor that have been so long preempted by men. Many of our grandest women are doing the work of men in the environment of women. As a matter of fact, the limitations of woman's field of endeavor are almost wholly physical. I refer of course to the ordinary American woman, because in Europe even physical limitations seem to have been

obliterated. I have never been shocked and disgusted at the sight of a woman in this country yoked with a cow to a plough, a sight which, I am told, is common enough in the fields on the continent of Europe. Nor is the American woman available as a trunk-carrier, like her sister of Holland. Our Puritan mothers—no more than our gentle mothers of the South—had no idea of producing a race of purely physical creatures. Every woman of good American family is born with an inherent dignity of sex which nothing can take from her.

The question, then, is not what our women can do, but what they must do. With all the privileges and blessings that are their heritage go commensurate responsibilities. The moral law is just as exacting as the natural law. God had a purpose in planting high-toned and good women in American soil, both North and South. The women of the two sections are as different from each other as day and night, but each is a splendid type in itself. God meant America to be a nation of brains, or He would not have made it a free nation. He demands that those brains shall be used to cultivate themselves and the brains of others. Now the woman of to-day has demonstrated the quality of her talent, courage and endurance. Therefore there is no excuse for her not working. True, she is still far behind man in the matter of executive ability where great enterprises are involved, or as an organizer, but she is overtaking him with rapid strides. Just now, in civic affairs, her courage is perhaps a little in advance of her judgment. Her methods may not be so sophisticated, nor possibly so judicious, as those of her brother; but one is safe in saying that her purposes are infinitely more idealistic than his, and her attitude decidedly less compromising. A man may trade municipal for Presidential votes, thus sacrificing his city for the nation, his domestic welfare for the policy of the party in power. But who ever heard of a member of the Women's Christian Temperance Union who would in the slightest degree relax her attitude on the temperance question? I am not referring now to the women who form so-called "patriotic" clubs for the sole purpose of social life and without the slightest sense of the true import of the word "patriotism." The women of the land must learn that there is more real joy in work than in idleness; that eternal happiness is reached through work and sacrifice; that the temporary, butterfly pleasure is the *ignis fatuus* that lures through

the beauty of youth and the strength and wisdom of mature womanhood into the slough of discontented old age.

The Lord bestowed upon American womanhood virtue, beauty, strength, and, in many cases, wealth and time. He expects what? First that the seed of virtue shall be disseminated throughout the race. Beauty is the manifestation of a pure heart and must be retained unsullied, that others may emulate it through purity of heart. It inspires as nothing else can. From strength, the Lord demands effort in the direction of civilization.

God has put woman with these tools into His vineyard and commanded her to work.

In the first place, she must kill the weeds and prepare the soil. Among the weeds to be found in this particular vineyard, the hardiest and most tenacious is selfishness, the result of teaching our leisure girls that they not only need not do for others, but not even for themselves. When a woman has nothing to do but receive the attentions and flatteries of others, she becomes selfish in the same proportion that another woman who works and sacrifices herself for others becomes unselfish. She becomes narrower, less mental, less moral, less idealistic, less useful, and more discontented in the same proportion that the other expands and develops towards higher character. Both of these processes are in obedience to the same law, the operation of which is quite obvious. The tragedy of it all is that the selfish woman is unconscious of her retrogression. She is hypnotized into depraved tastes by the example of those whom she has been taught to regard as paragons of good social form, which should have its basis in morality. There is great danger there for the young girl. The steps by which she may descend are short and the incline gradual. There are no sharp breaks to shock her into a realization of where she is going.

The importance of example to the young cannot be overestimated. The home atmosphere must be pure, if you would have pure children. While the act is but the manifestation of a mental condition, conversely there is grave and undoubted danger that it may by suggestion produce the same mental condition in others. The home atmosphere has been responsible for the continued integrity of the republic of the United States of America. While our great men have not come, as a rule, from the more aristocratic and exclusive circles, neither have they come from

the slums. It is from an atmosphere untainted with the licentiousness of the one extreme or the moral filth of the other that the enduring virtue of American manhood and womanhood has sprung. As the perfect flower requires shade no less than sunshine, so perfect womanhood requires work no less than the brilliancy of social life for its perfect development. All sun or all cellar produces no perfect flower. There is an old and astoundingly fallacious theory that, to make a boy temperate, one should acquaint him with the taste and use of wine at the home table. I have never known this idea to be carried out without disastrous results. One might as well try to make a boy honest by putting him into a school of pickpockets.

When I was young, the idea of a girl smoking a cigarette or drinking a glass of wine was preposterous. Even men were not in the habit of smoking in the society of reputable women. Not long ago, I attended a dinner where there were as many women diners as there were men. Just before speech-making began, it was put to a vote whether or not smoking should be indulged in during that part of the dinner. The ladies present, not wishing to be obnoxious, voted "Yes," I being the only one that voted "No." The result was that the men indulged their love for tobacco to the discomfort of almost all the women present and the nausea of some of them. This sort of thing is remotely responsible for the cigarette-smoking habit among reputable young women. They indulge in order to affiliate with young men and be considered "good fellows."

Drinking is indulged in to an appalling extent by women of the wealthy idle class, and their daughters are following in their footsteps. The great danger of this is that the idle rich class influences the succeeding strata of society. This class is surrounded with a certain glamour that those not so high up in the so-called "social scale" mistake for something genuine, but which is the veriest sham. Bear in mind that I refer to no set or clique, but to a condition manifested in all parts of the country. Now, the persons of this class are widely imitated. If they drink it is considered smart to do so, and others follow suit. If they smoke cigarettes, other girls do the same.

Gambling is one of the inevitable concomitants of idle, extravagant life. Not only is this due to the fascination of the game, but too often to the necessity of winning money to support

such an existence. Here are some instances: A gentleman I know was invited to dine at a fashionable country house. After dinner, he was about to leave for town, when the hostess invited him to a game of Poker. He declined at first, but on her insistence finally acquiesced. Chips were handed about in stacks to the players, and the game proceeded. Finally, the gentleman referred to found it imperative to retire from the game, in order to catch the last train. The hostess followed him into the hall, and quietly informed him that he owed her for the chips with which she as banker had supplied him, and which he had lost in the game. He protested that he had had no idea that they were playing for actual money. The hostess rejoined that that was out of the question, as it was always understood that chips meant money. "I'll give you my check now, or send you the money to-morrow from town," said the gentleman. "No," said the hostess, "you must pay up before you leave this house"; and, rather than make a scene, he called one of the gentlemen aside and borrowed the money to make good his losses.

The trouble is that the wives of many men in this class squander in gambling and other forms of dissipation the money their husbands give them for household expenses, and are compelled to resort to just such measures to make up the deficit, lest their husbands find out the true state of affairs and adopt drastic measures to correct them. Here is an instance of the meretritious extremes to which some persons resort to recoup their losses: A charming young girl whom I know was induced frequently by two young ladies to play Bridge Whist. She did not realize that she was gambling, until she was told by the mother of the young ladies that she was in debt to the extent of $600. "Why," she cried, "what can I do? My people would be outraged if they knew I'd been gambling!" "That doesn't matter," was the reply; "it is a debt of honor and must be paid—somehow."

An old friend of mine who regularly visits Palm Beach said that the gambling habit obtains among the young lady visitors there to a scandalous extent. She was astounded, she said, at the way in which they would come into the rooms specially fitted up and set apart for the purpose, and, taking off their gloves, settle themselves at the tables for long and serious play.

A clergyman told me the other day that Lent was no longer a season of fasting, but one of Bridge Whist and Euchre.

Week-end parties have Bridge Whist as a sole purpose. Rooms are hired and furnished, in all parts of New York city, by fashionable young women who do nothing but gamble there. I was sitting in my carriage not long ago, and, seeing a young friend of whom I am fond walking up the Avenue, I invited her to drive with me. But she waved her hand, and exclaimed, "I can't to-day. I've been losing at Euchre, and now I'm going to make it up at Bridge," and she hurried on.

The vices that I have mentioned are the weeds growing up in the garden of American womanhood that strangle and dwarf the flower. They spring from the seeds of selfishness and flourish in the soil of idleness. They are directly incompatible with the development of beneficence and self-sacrifice.

The American woman did not inherit vices from her ancestors. They are direct imitations and importations, and there is danger of their tainting the whole social mass. So, as a matter of fact, missionaries are needed among the idle rich more than in any other class. It is here the weeding-out process must be carried out. This work belongs to a certain class who must make virtue fashionable in their own set. Many women are awakening to the necessity of this, and with them rests the salvation of woman.

Queen Victoria set her face inflexibly against any breach of the moral code and did more for English civilization than any statesman or scholar. President Roosevelt is setting the pace of higher life and decent living.

It is just as easy to make good the fashion as bad. When Mr. Gladstone was urging Parliament to adopt measures for the establishment of the Post-Office Savings-Bank, he was jeered at. A friend said to him: "Why, these colliers and draymen and all that class of men spend their nights and their money in the public houses, like their fathers before them. You can't change that traditional habit." "It's just as easy to make virtue fashionable as it is to make vice fashionable," replied the optimistic Mr. Gladstone. "These people must be taught the habit of saving instead of spending." The Postal System was adopted, and some ten years ago there were many millions of pounds sterling on deposit with the Government to the credit of the masses. Now, when you reflect that that vast sum had been diverted from the public house, that it represented a transmutation of vice into virtue, its true significance may be grasped.

The idle rich are no more vicious than the idle poor, but they are much more lacking in sympathy with one another. A rich woman is not different from a poor woman except in the matter of money, and one of the greatest barriers to her usefulness as a missionary among her less fortunate sisters is her failure to realize this truth. One should remember that in America what is called "blue blood" is distributed through both classes—with a preponderance of it, perhaps, among the unmoneyed class.

Woman has advanced greatly, not so much mentally as towards emancipation, in the last twenty years. This emancipation has thrust upon her responsibilities which demand superior mental equipment. Twenty-one years ago, I did not think that women were qualified for suffrage; but the strides they have made since then in the acquirement of business methods, in the management of their affairs, in the effective interest they have evinced in civic matters, and the way in which they have mastered parliamentary methods, have convinced me that they are eminently fitted to do men's work in all purely intellectual fields. When I was a girl, the schools for young ladies in America taught deportment, crocheting, French, music and what might be called the gentler arts. But now they teach higher mathematics. Woman is entering the domain of high professionalism, and her mind is expanding accordingly. When I first acted as a member of the Board of Trustees of the Woman's Hospital, there were twelve women and thirteen men on the Board. The male portion of the Board was made up of lawyers mainly, and at Board meetings the women were outargued by them, and voted as they did.

The field of labor for the women of the idle class is vast. There is no village so small, no town so free from corruption that it does not afford ample opportunity for missionary work. Every woman can make her village or town better. She can form a "sunshine club," the individual rays of which may penetrate and cheer the sick chamber or render the abode of poverty less desolate. Her excuse for interesting herself in civic affairs is that her husband has paid taxes or rent, which is the same thing; and it is just as much her duty to see that he receives full value for his money as it is to see that the butcher does not cheat him. She must see to it that the village is properly policed, so that her daughter may be protected from ruffianism, or that her son may be guarded from evils that lurk in the dark. Her husband has

paid for good sanitary conditions, and she must see to it that the money appropriated for that purpose is properly expended, so that the health of her family may be secured against infection.

The tender-heartedness of woman will naturally lead her to use her influence in bringing about a humane treatment of animals. Taking as her example King Edward and Queen Alexandra and our own President Roosevelt, she should set her face against the docking of horses. Yet is she almost solely responsible for the equally barbarous fashion of wearing for her adornment the plumage of small birds. This cruel practice she should unhesitatingly abolish.

It is impossible to classify the talents of women, to differentiate their quality from that of the talents of men. But there are fields of work that have formerly been preempted by men which I think obviously belong to women. Among them is preeminently the protection of the home. American mothers must guard their offspring against the debilitating effects of the poisoned milk that is literally flooding the country. If a woman cannot do anything else, let her be a milk-inspector. If she lives on the farm, let her see to it that her husband sells pure milk; if she lives in the city, let her see to it that the milkman does not put his cans of milk in or near infected quarters.

In our great cities many women are necessarily lonely or are forced into vicious society. And this loneliness is not ameliorated by attending balls and other entertainments. It is unfortunate that men of small means, having to attend business, must leave their wives much alone in hotels and boarding-houses. It is not woman's nature to be philosophically resigned to solitude. She must have society, preferably good, but she must have society. An inexperienced man is apt to neglect his wife and still expect her to be as chaste as Lucrece. There is a great field for work among the unemployed wives of salaried men. If the idle rich woman would only learn to look upon her sister of this class as the daughter of a woman like herself, coequal with her before God, she would take her by the hand and draw her out from her solitude, and by so doing reap a reward in the unfolding of her own character.

One cannot but regard the wonderful work of the Salvation Army in the reclamation of fallen women as a direct refutation of the contention of sociologists in certain European countries

that vice is necessary, and of the inevitable and horrible deduction that we must permit our sisters to lie where they have fallen. That may do very well for Europe, but we Americans stoutly deny that vice is in the slightest degree necessary to civilization. We point with pride to the result of the inflexible rule of the Puritans. Occasionally, there comes to one the astoundingly idiotic suggestion of the licensing of a certain form of vice as a sanitary measure. Imagine American mothers teaching their sons the Lord's Prayer, and then sending them to the Legislature to make laws for licensing the sacrifice of the purity and happiness of their sisters. No: sanitary conditions come from within; they spring from the moral nature of man. I may be charged with idealism. If so, I acknowledge the compliment. But I am also intensely practical. I believe in striking at the root of evil. Woman must be rigid, uncompromising in her attitude towards vice. No great movement ever succeeded that evinced the slightest moral laxity.

In reading a little book called "Precipices," a sketch of Salvation Army social work, one is astounded and inspired by the courage, the kindness, the indomitable perseverance of the uniformed sister in reclaiming fallen women, and by the illimitable patience with which she keeps on reclaiming them as they fall again and again, until the cure is permanent. And a consideration of the abuse that the rescuing sister suffers, the appalling degradation which confronts her in her efforts, compels a recognition of the fact that no other motive than the divine sense of duty could sustain her through the ordeal.

The only remedy for the social evil in any Anglo-Saxon country is apparently in the education of the children—boys and girls. This teaching must be candid, drastic. Half of the difficulty attending it comes from a very natural, but very cowardly, sense of delicacy about discussing such topics. One should remember that any subject can be discussed with dignity by a lady.

Woman has brains, energy and courage, and no one has any moral right to waste time. Time is the most precious thing in the world, because it is the only thing that cannot be replaced when lost. Woman is responsible in proportion to the wealth and time at her command. While one woman is working for bread and butter, the other must devote her time to the amelioration of the condition of her laboring sister. This is the moral law.

M. Olivia Sage.

A PENSION FUND FOR COLLEGE PROFESSORS.

BY CHARLES F. THWING, LL.D., PRESIDENT OF WESTERN RESERVE UNIVERSITY AND ADELBERT COLLEGE, CLEVELAND.

THE foundation of a pension fund for teachers in American colleges, which Mr. Carnegie has laid, illustrates at once the individualism which has, up to the present time, characterized American life, and also the socializing tendency which is becoming potent. This foundation is the act of an individual standing quite alone in human history in his determination to use a part of what he calls his "surplus wealth" for human betterment. The foundation also represents a service done for individuals by an association of the community, which these individuals have been accustomed to think they should do for themselves. It is, therefore, at once individualistic and also communistic, in a proper use of the good, but much-abused, word.

When the gentlemen, who, as Trustees, are to administer this great foundation of ten million dollars, turn at their first meeting, the 15th of November, for help to the accumulated experience arising from the administration of relief funds, they will not be able to find aid of serious value. Such lack, however, will not, it may be well believed, cause them embarrassment. Americans still are fond of trying social experiments, as they have liked to strike our democratic constitutions and bills of right for themselves, untouched by the successes or failures of other nations.

Should the gentlemen who constitute the Trustees of the Carnegie Foundation seek for light from the sources whence has come the inspiration of American scholarship for the century, they would find a somewhat complex system of pensions, not only for professors of the universities, but also for professors' widows and children. The paternalism of Germany is nowhere more

manifest than in its interest in the sustentation of the officers of its higher schools. The system is at once local and imperial, or at least territorial. It began in its local relationships as early as the last years of the seventeenth century, and in the more recent times it has been made the subject of important changes. As early as 1688, at the royal university of Marburg, the rector, the deans and the professors established a so-called Widows' Fund. Of this fund every new professor was obliged to become a member. In 1736, and in 1856, the original statutes were amended. The annual membership fee was thirty-six marks, and to this membership fee were added shares of certain other fees paid to the professors. The pension of a widow in the year 1888 was, for each year, six hundred marks. In case of her remarriage, the fund was transferred to the children. Orphans received the same amount as the widow received.

The practice which thus began in Germany near the close of the seventeenth century has, in the more than two hundred years, passed through a great variety of changes in both principle and administration. At the present time, in all the universities, a system, large and exact, of definite rules and procedure, has come to obtain. Among the more important of these rules, as they touch the nine Prussian universities, are:

"If a teacher retire after completing the tenth year of service, but before completing the eleventh, the pension amounts to fifteen-sixtieths of the income which he received, and is increased one-sixtieth each year. But the whole pension is never to exceed forty-five sixtieths.

"The pension of a widow shall consist of forty per cent. of the pension to which her husband was entitled, or would have been entitled if he had retired at the time of his death. The pension of no widow, however, is, as a rule, to exceed two thousand marks.

"The pension of a child whose mother is still living is one-fifth of the pension of the mother, and the pension of a child whose mother, as well as whose father, is living, is one-third of what the mother's pension would have been.

"These pensions are paid monthly, each month in advance. They can neither be mortgaged nor transferred."

The laws concerning pension conditions at the University of Giessen are not dissimilar. The official statement is:

"If an official shall be retired after completing the fifth year of service, he shall receive as retirement salary (pension) forty per cent. of his salary. For each additional completed year of service, from the

sixth to the tenth year of service, there shall be added two per cent.; from the eleventh to the thirtieth, one and one-half per cent., and from the thirty-first to the fortieth year of service one per cent.

"Whoever shall be retired after completing the fiftieth year of service shall receive the full amount of his salary as pension."

But such methods offer little aid beyond general suggestiveness to the Trustees of the Carnegie Foundation. Neither will these Trustees find themselves better off when they turn to the history of the sustentation or similar funds established by the churches of the founder's native country. These funds, like the funds for the same scholastic or professional purpose which have been established by the American churches, are the result, usually, of a vast number of small contributions. Their income is distributed to disabled clergymen, or to their families. The appropriations are as a rule made by a central board, and the amount distributed to each beneficiary is determined, usually, by the need. The pension funds, too, which certain cities give to certain of their employees, as policemen or firemen, will likewise offer little help in the administration of the Carnegie income. Even the pension funds for teachers, which a few cities such as Rochester and a few States such as Pennsylvania, have been seeking to establish, are so recent in their origin and of a tenure so uncertain, by reason of legal or other questioning, that slight will be the aid to be thus derived. It is, however, worth while to give a summary of the proposed law of Pennsylvania:

"It provides that any public-school teacher, who has taught for thirty consecutive years within the State, shall be retired upon reaching the age of sixty years, upon a pension equal to one-half the salary received by such teacher during the last year of his or her actual teaching. Provision is made that, where a teacher desires to retire before reaching the age of sixty, or it is desirable to retire such teacher, the State superintendent shall appoint one school director, one public-school teacher and one physician to make investigation of the case. If this commission reports in favor of retiring the teacher, the State superintendent shall act accordingly and place the teacher upon the pension-roll. In case any teacher is re-employed after the pension is granted, the pension ceases and only becomes operative again when the teacher ceases active work. All pensions are to be paid out of the State Treasury upon warrants drawn by the State Treasurer."

But the Trustees will be able to turn for assistance to several colleges which have already introduced a pension system. The method that obtains at our oldest college reminds one somewhat

of the systematic rules which have long been applied in the German universities. Among the Harvard rules are:

"1. Any person in the service of the University and sixty years of age, who has held an office of the grade of an assistant professorship, or of a higher grade, for twenty years, shall be entitled to a retiring allowance of twenty-sixtieths of his last annual salary in activity, and to an additional allowance of one-sixtieth of his last annual salary for each year of service in addition to twenty; but no retiring allowance shall exceed forty-sixtieths of the last annual salary in full activity. In counting years of additional service, years of continuous service as member of a Faculty with the title of tutor, instructor, or lecturer, or as assistant in a scientific establishment on an appointment not annual, may be added, at the discretion of the President and Fellows, to the years of service as assistant professor or in a higher grade.

"2. No person under sixty years of age shall be entitled to a retiring allowance; but the President and Fellows may at their discretion pay to any person who, while in the service of the University, has become incapable of discharging his duties by reason of permanent infirmity of mind or body, or has resigned, before the age of sixty, an allowance not exceeding that which he would be entitled to receive under Rule 1, if he had reached the age of sixty.

"3. No person who has been in the service of the University less than twenty years as assistant professor or at a higher grade shall be entitled to a retiring allowance; but in computing the retiring allowance of a person who entered the service of the University, as a professor or at an equal grade, at an unusually advanced age, the President and Fellows may, at their discretion, add a number of years, not exceeding ten, to his actual years of service; and such a person may be granted a retiring allowance as soon as his total service, including the constructive addition, reaches twenty years."

The most impressive features of the Harvard method are, simply, that a pension is based upon the length of service, and that the incumbent has the right to avail himself of its advantages at the age of sixty. The system at Columbia University provides that an officer who has held an office higher than the office of assistant professor for fifteen years, and who is sixty-five years old, or over, may be retired upon an allowance of one-half of his last annual salary. Yale University offers a pension to an assistant professor, or a full professor, who has reached the age of sixty-five and has served the university for twenty-five years or more. Upon his own request, at the age of sixty-five, he may retire with an allowance equal to one-half his last annual salary. This act, which was passed in 1896, was amended two years ago, so that it obliges the retirement of all teachers at the age of sixty-eight,

except in certain cases in which, by formal vote, a different result may be directed. In Cornell University, and also in the University of Toronto, there prevails a system unlike that obtaining in Harvard, Columbia, or Yale. It represents a compulsory contribution, made on the part of a professor, in order to constitute a retiring fund. A professor of Toronto receiving one thousand dollars, contributes five per cent. of his salary to this fund. The rate upon a salary from one thousand to eighteen hundred dollars is seven and one-half per cent.; upon a salary between eighteen hundred and twenty-five hundred dollars, ten per cent.; upon a salary between twenty-five hundred and thirty-two hundred, fifteen per cent., and upon a salary of over thirty-two hundred dollars, twenty per cent. The laying of this tax, it should be said, caused a certain increase in the stipends of teachers. The rules of Toronto contain no intimation of the age of either a voluntary or compulsory withdrawal.

The pension fund of Cornell was established by a gift of $150,000 made two years ago by a friend of the University, whose name is withheld. This amount of money, it is supposed, will amount to $250,000 in the year 1914. This sum is regarded as the "inviolable capital of the Professorial Pension Fund." No draft is to be made upon this fund until the year 1914. In addition to this fund, contributions are made on the part of professors, which, it is supposed, will provide for one-fourth of the pension to be ultimately received. The contributions made by the professors are tabulated as follows:

Age of Professors at Appointment.	No. of Annual Payments by Professors.	Annual Payment.	Age of Professors at Appointment.	No. of Annual Payments by Professors	Annual Payment.
30	40	$33	45	25	$71
31	39	34	46	24	75
32	38	36	47	23	80
33	37	38	48	22	85
34	36	40	49	21	91
35	35	42	50	20	97
36	34	44	51	19	104
37	33	46	52	18	112
38	32	48	53	17	121
39	31	51	54	16	131
40	30	53	55	15	142
41	29	56	56	14	155
42	28	59	57	13	170
43	27	63	58	12	187
44	26	67	59	11	208

The whole amount of a pension to each professor is to be fifteen hundred dollars a year. It takes effect at the age of seventy. In

case of resignation, removal or death, before reaching the age of seventy, contributions which have been paid to the fund by a professor are to be repaid to him, or to his estate, interest being allowed at the rate of three per cent., compounded semiannually.

Mr. Carnegie has, in this instance, as is his custom in making his benefactions, seen fit to commit the administration of this fund to the Board, unencumbered by many rules. He prefers to trust the men of to-day, and their successors in the endless generations, to administer this fund under the guidance of principles, rather than to lay upon them specific requirements arising out of his own will. He is wise. The history of the beneficiary funds of England since the time of Elizabeth proves that rules become, through the change of social, civil and industrial conditions, inapplicable. But the history also proves that wise men and true are to be found in every generation in the community qualified to administer beneficiary trusts in at least the spirit of their foundation. Men are better than laws, even than constitutions.

But in the administration of the present Foundation, there are two elements which it may be somewhat difficult properly either to interpret or to apply. One of these will occasion difficulty much less serious than the other. The purpose of not offering aid to the members of the Faculties of the various State Universities will be easily understood. The Founder believes that the State should care for those who teach in its chief organized school. Of course, he is right. The State is able to care for its officers, and ultimately it will care well for those who have served it long and usefully in most important and underpaid positions.

But difficulty will emerge in deciding how far forth aid should be given to members of the faculty of what are called "denominational," or "sectarian" institutions. Religion, interpreted in its broadest element as the relation held by a person to a Supreme Power, must necessarily be a concern of the college. It represents a philosophical question which cannot be avoided. Most colleges, too, are what are called "denominational." Religion in the United States is usually understood to be the Christian religion. The Christian religion has organized itself into churches,—churches Roman Catholic and churches Protestant. The churches Protestant have in turn organized themselves into denominational churches. Denominations are, in certain cases, loosely organized, like the various branches of the Congregational Church. In some

cases, these churches are more or less stiffly organized, like the Protestant Episcopal, or the Presbyterian. Each of these bodies has colleges, and these colleges hold a close relation to these separate denominations which are their founders or sponsors. It is sometimes said that a college is denominational but not sectarian. Herein is a difference in terms, but the difference may not be so significant as those who use these terms are apt to emphasize. In fact, I do not know of any college which would care to call itself "sectarian." Yet, many colleges do call themselves "denominational." Behind all the discussion of the difference, if there be a difference, in meaning between the two terms, lies the general feeling that a denomination represents the general deposit of Christian truth, and that a sectarian body represents a special and peculiar emphasis laid upon a single truth. The name of Baptist would seem to indicate that that church might be a sect, yet members of that church would be prompt to declare that such an interpretation is logically false, historically unsound, ecclesiastically ungracious. Members of the Protestant Episcopal Church would be the last to call themselves a "sect." Bishop Dudley used to tell with glee the story of one of his fellow Kentuckians who remarked that the Bishop had come into the mountains to found "a new sect." No, the current distinction in feeling and in speech which is made between a sect and a denomination is not so significant as it sometimes is intimated. No Protestant college known to me requires that each of its professors shall be a member of the certain church which it is supposed to serve. No college known to me declines to admit students who are members of other communions than that which the college represents. In fact, most denominational colleges are only too willing to get hold of adherents of other faiths. For, is not each church college a missionary? Indeed, many colleges which are called denominational declare that they are denominational only in the sense that they represent a force which the whole denomination desires to offer to humanity for its enlightenment and improvement.

In fact, the question which the Trustees of the Carnegie Foundation will be obliged to consider will be a complex one. It will have relation to the accent which a college puts upon religion, in comparison with the emphasis which it lays on scholarship. It will have relation to the comparative emphasis which the college

puts on the great, comprehensive Christian truths, and to the emphasis which it puts upon certain expressions or formulas of these truths. Questions of emphasis are hard to interpret and to determine. For some would say that Christian doctrine is only dogma writ large, and others would affirm that dogma is only doctrine writ clear. The emphasis, too, placed upon Christian teaching and practice in the class-room is of more vital consequence than formal statements found in academic constitutions and by-laws. The emphasis, also, placed by the student body, in its informal gatherings, upon Christian teaching and practice has quite as much to do with academic atmospheres as formal or informal statements made on the part of officers.

It may be said in passing that already one good effect of the intimation of a purpose to grant no aid to a certain type of the denominational college is emerging. Certain colleges which have been open to the charge of being narrow in their religious beliefs or practices, are already adopting measures to rid themselves of the basis of such a charge. For practically all American colleges seem eager to avail themselves of the benefits of this great beneficence. They are determined that no condition which they can properly remove shall prevent their being regarded as on the list of beneficiaries.

Besides the large religious and ecclesiastical questions, two problems at once emerge. One of these problems relates to the administration of the Foundation either as a system or on the basis of individual need. Should the amount of appropriations be based on such considerations as the length of professional service, age of the beneficiary, amount of salary received, or should it be based on the simple need of the beneficiary? The former method obtains in Germany. It also obtains in some of our own American institutions. It is a method easier to administer. It is certain and fixed. An applicant can readily determine what he should and will receive, in case he receive anything. But the method based on the character and the need of the proposed beneficiary, though harder to administer and subject to the peril of injustice, is more readily adjusted to human and humane conditions. Systems are good or bad, but individuality of treatment may be, and should always be, best. For securing such sound interpretation and advantageous application, qualities of the highest wisdom will be required.

A further question is allied to the problem of method. It is the question of the standard of professional efficiency, or of personal desire, which should entitle a professor to become a petitioner for this bounty. But this question is one which need not belong to the whole body of Trustees, but should be answered by the Trustees of the individual institution to which a petitioner belongs. Intimations are emerging that the Trustees of this Foundation will not receive applications from individuals, but only from the official boards of the colleges in behalf of their own individual teachers. Through such a method, the Carnegie Board will relieve itself of a vast number of applications with which it would be difficult to deal fairly. They will thus place the responsibility of petitions upon those who are able to bear it with justice, kindness and efficiency.

This great and unique Foundation bears a special message to two classes. First, it bears a message to the Trustees of American colleges. It is the message that this beneficence shall not be suffered to interfere with the still further progress of the increase in the salaries of college teachers. These salaries are increasing, but the increase is slow and the resulting amount is not adequate. College Trustees should not, and will not, unload their own duties of making proper compensation to the members of their faculties upon the Trustees of the Carnegie Foundation. This great gift also bears a message of invitation to young men who are making the great choice of a life's calling. To enter the noble vocation of the teacher in an American college, young men of virile and vigorous stuff do not like to think of themselves as pensioners. This Foundation does not oblige them thus to think. It cannot fail to render more attractive to the ablest men and best a calling which has, in recent years, been in peril of failing to summon the worthiest.

CHARLES F. THWING.

THE ALTERNATIVE OF RECIPROCITY TREATIES OR A DOUBLE TARIFF.

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THE regulation of the future commercial relations of the United States with the principal countries of Europe—especially Germany and her trade allies—as respects mutual tariff treatment of imports of merchandise, constitutes decidedly the most important economic problem that has presented itself in many years. Disregarding a comparatively few instances of preferential treatment arising from reciprocity arrangements, the general policy of the United States has always been to treat the products of all foreign countries with impartial uniformity by adhering strictly to the single-tariff system.

Assuming that a change in this time-honored policy shall become expedient, there are two alternative methods of solving the problem—reciprocity by a series of tariff treaties, or the enactment and application of the double-tariff system. The former solution would be accomplished through diplomacy, the resulting treaties being ratified by the Senate, and subsequently carried into effect by Congressional legislation; the latter would depend upon Congressional initiative and action, the resulting tariff schedules being then, in all probability, applied by the executive branch of the Government, through the medium of special treaties, to meet the different foreign conditions.

It has been alleged of late that our Government is engaged in groping around for an effective policy for use in meeting the emergencies of the future. So far as this might imply vacillation, the statement is not correct; but it is certainly true that events must crystallize before the necessity of abandoning the single-

tariff system can be demonstrated. At any rate, it should be of interest to notice the salient features and, in some measure, the relative merits of reciprocity and the double-tariff system.

I. *Reciprocity by Treaty.*—Reciprocity as a policy has had many vicissitudes in the United States, but has never been tried upon a large enough scale to test its potential merits. Our comparatively unfavorable experience with Canadian reciprocity under the Marcy-Elgin Treaty of 1854, in the period from 1855 to 1866, is not much of an argument for general application, for there were many controlling factors, both economic and political, in that isolated case. Nor is the enormous revenue sacrifice entailed by the former Hawaiian Reciprocity Treaty, justified as it was by considerations of high statecraft, a valid indictment against the policy. The same applies to our existing Treaty with Cuba. On the other hand, in all fairness, it must be conceded that the remarkable success and popularity in exporting circles enjoyed by the Blaine Agreements of 1891-'92,—which were put into operation by Presidential proclamation without submission to the Senate, and remained in force less than three years—were achieved without any real sacrifices on the part of the United States. It will be recalled that the Tariff of 1890 made the articles raw sugar, molasses, coffee, tea and hides, free of duty, while the third section, upon which those Commercial Agreements were based, authorized the President to suspend free entry of such imports from countries which should impose unreasonable duties upon American products, whereupon certain duties therein specified were to be collected. In compensation for the simple guaranty by the United States of the retention upon the free list of sugar, molasses, coffee, tea and hides, the contracting countries —ten in number, mostly of Latin America—granted important tariff concessions to American products. Under such auspicious circumstances, so favorable to this country, this experience with the reciprocity policy was certain to meet with favor in all branches of our industrial activity, for it injured no American manufacturing interest in the slightest degree. This is an important point to which I have rarely seen attention called in discussions on the subject of reciprocity. It is manifestly unfair to draw invidious comparisons between the reciprocity arrangements of the Harrison administration and the abortive reciprocity treaties of the McKinley administration, for the conditions pre-

sented to the respective negotiators were radically different. Mr. Kasson found it impossible to get something for nothing, and in order to secure valuable concessions for American commerce in France, the British West-Indian Colonies, the Argentine Republic, etc., he was obliged to pledge reduction of our existing duties, within the authorized statutory limit of 20 per cent., upon certain articles imported from the contracting countries. This involved some sacrifice on the part of certain of our domestic interests for the sake of the general welfare of our export trade. Some of these special interests protested earnestly, claiming that the reductions proposed upon foreign products entering into competition with their own would be injurious, if not ruinous. These protests were effective, and Mr. Kasson's arduous work under the fourth section of the Dingley Tariff has gone into history as a failure. The practical question arises, Has there been such change of sentiment in the Senate on the subject of reciprocity treaties as to warrant the negotiation of a new series of equally comprehensive scope, and to give reasonable promise of a better reception for them in that august body?

It is being freely suggested by American trade bodies in resolutions, by our exporters and importers engaged in trade with Germany, and by editorial writers, that the best way to settle prospective commercial differences with that country is for the United States to conclude a liberal reciprocity treaty. They have little or nothing to say about similar treaties with the other Powers of Europe, at least in this connection, and probably do not realize the significance of the conclusion of such a treaty. With a reciprocity treaty favoring German products once signed, it is not to be imagined for a moment that Germany's several rivals in our markets would be satisfied until they had secured a fair measure of equality of tariff treatment for their own products. This would necessitate a separate treaty in the case of each of the great commercial Powers, each treaty being adjusted to the trade of the particular country with the United States. For example, certain of Germany's commercial rivals would seek and probably secure tariff concessions approaching in value those previously granted to that country, but hardly coextensive, for the simple reason that the comparative state of their import trade in American goods would not permit them to reciprocate as fully as Germany. On the other hand, other coun-

tries with less diversity of manufacturing industries would be indifferent to some of the concessions granted to Germany or Austria, and would seek reduction of duties on entirely different articles. In the end we would have an American conventional tariff, as well as a general tariff, but it would be quite different from the European general and conventional tariff system.

This difference involves one of the most interesting and complex problems in American diplomacy,—consistent adherence to our time-honored interpretation of the most-favored-nation clause in treaties, which is in direct opposition to the European interpretation. There have been two or three instances in years long gone by when a Secretary of State has departed from the fixed practice, but, from the time of Thomas Jefferson until the present moment, the rule has been that the most-favored-nation stipulations which are found in nearly all our treaties of commerce and navigation have no applicability to reciprocity arrangements; hence, where one Power has granted certain tariff concessions to another in return for equivalent compensation, no third Power having most-favored-nation relations with either of the parties to the reciprocity treaty can, under the American interpretation, secure the extension to itself of these concessions *unconditionally and without yielding special compensation.* In fact, it is evident that the gratuitous extension to third Powers of commercial advantages exchanged in reciprocity between two countries is absolutely inconsistent with the true principles of reciprocity as understood in the United States; it would not only seriously impair, and even tend to destroy, the value of the original grant, but it would also involve duty reductions upon the entirety, or at least the bulk, of importations from the world of the articles of merchandise affected, thus constituting a serious sacrifice in national revenues. If this policy were adopted by our Government, it would, to be sure, simplify the reciprocity question, but the internal economic effects would be practically the same as if Congress were to revise and reduce the tariff, the only difference being that our foreign trade interests would be benefited by the employment of diplomacy, whereas simple tariff revision would insure no immediate betterment in that respect. It will be perceived, therefore, that the American interpretation of the most-favored clause is essential to American reciprocity.

If we should pursue an elaborate reciprocity programme, the

result would necessarily be a series of independent treaties with the several commercial Powers of the world. The state of trade might justify identity, or close similarity, of concessions in some of these conventions; but each would have to stand upon its own merits, and the new American conventional tariff could only be determined by consulting each treaty of the series in turn, without reference to the others.

These considerations make American reciprocity negotiations unusually difficult, but by no means impossible. It was my privilege to be associated, in a subordinate capacity, with the Hon. John A. Kasson during the four years in which he labored so ably and indefatigably in seeking to carry out the plans for reciprocity authorized and directed by Congress in sections 3 and 4 of the Tariff Act of July 24, 1897. At one period, I saw him engaged in negotiating simultaneously with the diplomatic representatives at Washington of no less than twenty different foreign Governments, giving adequate attention to each country, seeking special concessions from each, always studying the industrial effect of reductions of duty demanded in compensation, pondering carefully the proposed sacrifice of revenue, and making a fair appraisement of the bargain. The eleven treaties negotiated by Mr. Kasson and transmitted to the Senate may not have been faultless—in fact, they were not; but, considering that the whole series was the work of one man, who, at the outset, was long past the age when most men lay aside the great activities of life, they represented a remarkable achievement. Mr. Kasson has demonstrated that an American reciprocity treaty system is practicable. It is, indeed, an intricate system; but the *onus* of its inevitable complications and perplexities falls upon the negotiators.

II. *The Double-Tariff System.*—The second promising method of solving the commercial problems presented to the United States, as the result of the policy of discriminatory tariff treatment pursued by France and a few other foreign Powers, as well as of the possibly adverse attitude of Germany and her commercial allies of Middle Europe, lies in a system of maximum and minimum duties on the same articles of import, commonly known as "the double-tariff system."

This system was first employed by Spain in 1877, her schedule of duties in the tariff of that year being arranged in two columns, the first for countries already enjoying most-favored-nation treat-

ment, and the second for other countries. Spain's early experience with the new system, however, was rather unsatisfactory, especially in her relations with France. Consequently, in 1882, the two countries concluded a reciprocity treaty wherein Spain sacrificed a large portion of her minimum tariff, thereby creating *pro tanto* a conventional tariff; and, again, by the time she revised her tariff in 1886 most of the minimum duties had already been established by treaties with various countries. The same thing has happened in later years, so that it is not to Spain that we should go for the purpose of studying the operations of a consistent system of double-tariff.

France is the only country that has employed this tariff system with success and fairly consistently for several years, and her experience is worthy of our careful attention. Its adoption by the French Chambers in January, 1892, was due to the indefatigable efforts of M. Méline, who had earnestly advocated it, on different occasions, for nearly twenty years. The principal motives actuating the Chambers in enacting the Méline Bill seem to have been the dissatisfaction of the business interests of the country with the state of foreign commerce under the system of conventional duties, and the desire of the high-tariff elements to retaliate against the United States for our high tariff of 1890.

An excellent exposition of the French double-tariff system is contained in the "General Report made in the name of the Customs Commission appointed for the examination of the Bill relative to the Establishment of the General Customs Tariff, by M. Méline, Deputy." This Commission was composed of eight members, besides the secretaries; but the only familiar name is that of the president, M. Méline, who made this report to the Chamber of Deputies in its session of March 3, 1891. The tariff bill accompanying the report was enacted by both branches of Parliament and became a law January 11, 1892, going into effect February 1, 1892.

In this report, the Commission sketched the history of the conventional-tariff movement inaugurated by the famous Cobden Treaty of 1860 with England, and pointed out that the development of French foreign commerce had been far from satisfactory and adequate to the needs of the country under that system. They contrasted the natural conditions in England with those of France, declaring that the former were more favorable for the

employment of a low-tariff policy, and criticised the Cobden treaty as being extravagantly liberal on the part of France. In discussing the statistics of French commerce, they said that the movement up to 1869 had been fairly satisfactory, but unfavorable since then. Of late years, several leading countries, including the United States, Russia, Austria-Hungary and Germany, had pursued a different policy from France by raising their tariffs. The Commission was opposed to the single-tariff system on the ground that it presented too many inconveniences and dangers. France, they said, would be forced to adopt the extreme of protection like other single-tariff countries, which would compromise the export interests and deprive the Government of the concessions which it had obtained under the conventional system from foreign countries, for, if France should place herself in the position of denying favors to others, there would be no possibility of demanding them in return. Measures of retaliation might become necessary, which were to be avoided. They rejected the proposal that short-term treaties for five years or less be concluded, pointing out that such course would fail to give stability to the economic system of the country and would provoke a tariff discussion every four or five years. Tariff revision, they said, was desirable only at long intervals and on a few articles, while tariff treaties need frequent amendment. The Commission also laid stress upon the needs of the national treasury; larger revenues must be secured in order to satisfy the enormous fiscal demands resulting from the Franco-Prussian War. To meet this situation, the Commission had formulated a double tariff, the operation of which they proceeded to explain. I quote the following paragraphs from the report:

"It remains for us to explain the resolutions of your Commission as regards the application to foreign countries of our minimum tariff. We thus come to the question of the operation of our new minimum régime.

"The Government has proposed to us to settle it by the adoption of a double tariff, the minimum tariff and a higher general tariff to be based on the variable increase of the rates of the minimum tariff. The general tariff would be our tariff of common right, applicable in principle to the whole world. As for the minimum tariff, it would constitute the tariff of favor which would be conceded to the countries which should accord to us corresponding advantages, and especially to those which should grant us in their markets the same advantages as our foreign competitors, that is to say, should treat us upon the footing of the most-favored nation.

"A very important question was to determine in what form, for what duration, and under what conditions the minimum tariff should be conceded to any country. Should it be by means of veritable treaties, that is, reciprocal contracts binding the two parties and fixing the rates of this tariff in irrevocable manner for their entire term? Should it, on the other hand, be given only as a simple reduction of the general tariff, which we might modify at will, in case necessity should so require?

"Upon this vital point the Government has demanded of us to reserve its liberty of action and its decision. It has declared to us that the moment does not seem to it to have arrived to declare that it would renounce absolutely all treaties in principle. It has only pronounced itself formally upon one point, that is, if treaties shall continue to be made, they must not go below the rates of the minimum tariff in concessions made to foreign countries. It is conceded, furthermore, that we ought to put the tariff on cereals and cattle outside the operation of these treaties.

"As respects the form, there are only two methods of making concessions, either by a law which binds us alone, or by a convention which binds those equally with whom we make it. We have already practised both systems; it was by a simple law that we granted to England, and quite recently to Greece, the benefit of our conventional tariff. It was by special conventions that we gave the treatment of the most-favored nation to other countries, as, for instance, Austria-Hungary, Russia, Turkey and Mexico.

"There are also two possible methods of conceding the minimum tariff in the form of a convention. It can be conceded as a simple treatment of favor on the general tariff, but without making any guaranty to maintain the rates indefinitely. On this hypothesis the result of the convention does not differ materially from the law. To grant our minimum tariff by a convention of this sort, is merely to bind ourselves to apply to the nation to which we make the concession our lowest tariff; but this is the extent of our obligation, and we remain masters of revising and raising the rates themselves of this tariff if the necessity for it should be shown us. In a word, we promise only one thing, that is never to apply our general tariff during the term of the convention to the nation with which we have made this arrangement.

"There would be a second method of according our minimum tariff, which would be to incorporate it in a regular treaty and thus to consolidate with it the rates during the entire duration of the treaty. Under this system, the minimum tariff would take the place of our existing conventional tariffs, with this single difference that it would be granted *en bloc*, whereas our conventional tariffs have been built up by bits and in successive layers.

"Confronted by these two systems, your Commission has decided, by a very great majority, that, if the first were acceptable, the second would hereafter have to be abandoned. They have believed that the interests of our country commanded it to make no more treaties and to remain master of its tariffs."

These arguments of the Tariff Commission prevailed with the Chambers, and their Bill was passed and became a law January 11, 1892, going into effect on February 1st of the same year, all the tariff treaties of France with foreign countries inconsistent therewith having previously been denounced and terminated by the last-named date.

The Double Tariff Act of 1892 has undergone remarkably few changes in the past thirteen years, notwithstanding that it has been the object of much unfavorable criticism at the hands of able French economists like Prof. Paul Leroy-Beaulieu. This fact would seem to indicate that France has been well satisfied with her experiment and has no intention of abandoning the system. The law itself consists of nineteen articles, to which are annexed the schedules of duties, A, B, C, D and E. Schedule A enumerates the import duties, arranged in two columns—the general tariff and the minimum tariff—and covering 654 classes of articles. In a few cases, for special reasons, the duties of the two tariffs have been made the same; but there is, as a rule, a marked disparity between the rates. Being specific duties, it is difficult to generalize upon this point. Our Department of Commerce and Labor states, in a recent publication, that the maximum rates average 75 per cent. higher than those of the minimum tariff; if, however, we limit consideration to American exports to France, the average difference is about 50 per cent.

The conditions and methods of applying the minimum tariff are an important feature of the system. The only provision of the Law of January 11th, 1892, upon this point is as follows:

> "The minimum tariff may be applied to goods the produce of countries where French goods enjoy corresponding privileges and to which the lowest tariff is applied."

A few days before the passage of the tariff act, an important law, that of the 29th December, 1891, was enacted, authorizing the prorogation of certain clauses of the treaties or conventions between France and Belgium, Spain, Netherlands, Portugal, Sweden and Norway, and Switzerland, and fixing the customs régime which might be applied on the 1st of February, 1892, upon entry into France, to products of the countries which were in actual enjoyment of the conventional tariff. The language of this law was as follows:

"The Government is authorized to apply, in whole or in part, the minimum tariff to products or merchandise imported from countries which actually enjoy the conventional tariff, and which will agree on their part to apply to French merchandise the treatment of the most-favored nation."

Not having enjoyed the old conventional tariff of France, and having no most-favored-nation treaty relations with her, the United States has continued to stand without the pale (excepting as respects the limited scope of the French Laws of January 27th and June 30th, 1893; Decrees of July 7th, 1893 and May 28th, 1898,—in relation to the Commercial Agreements of 1893 and 1898, respectively), American exports being subjected to the high rates of the maximum tariff, while like exports of all our great competitors enjoy in France the advantage of the minimum tariff, either by virtue of early treaties confirmed, since 1891, by French law or decree, or as the result of subsequent conventional arrangements. Had the Kasson treaty of July 24th, 1899, been ratified by both countries, the United States would now receive the benefit of the French minimum tariff on all its exports excepting nineteen articles. Some American Senators, however, hold that in this treaty we sought to purchase what we are of right entitled to; that, in view of the fact that we practise no discrimination in tariff matters against French products, but accord to them our lowest rates, we should receive like favorable treatment for our exports to that country. The Cuban Treaty of December 11th, 1902, was not in existence when the French Treaty was under discussion, but even this convention does not constitute a real discrimination, in view of the peculiar considerations of close neighborhood and the international obligations that dictated its negotiation by the United States.

A very important advantage claimed for the double-tariff system by its advocates is that under it complete liberty of action on the part of the legislature is reserved, whereas the conventional system, by binding existing rates or fixing new rates of duty for the treaty term, imposes a check upon legislative control. In France the maximum of to-day may become the minimum of to-morrow, while the former maximum may be doubled or trebled, and still no treaty stipulations be violated, as the most-favored-nation clause only enjoins that the contracting parties shall grant each other their respective lowest rates.

Strange to say, only three other countries of Europe have imitated Spain and France in adopting a double-tariff system; these are Russia, Greece, and Norway. But the Russian system has conventional features, and the Norwegian maximum tariff is merely a retaliatory measure for use only in case of discrimination. Perhaps the form of the latter might appeal to our statesmen. The Tariff Act of 1897 says:

"Should a foreign country collect on goods proceeding from Norway or on Norwegian vessels higher duties than those applied to other countries, the King may decide that goods imported from such countries shall be subjected to the maximum tariff."

The increasing favorable attention devoted in this country to the double-tariff system is significant of the trend of sentiment among our statesmen and economists. In a notable address delivered at Des Moines last May, the Hon. Leslie M. Shaw, Secretary of the Treasury, is reported by the press to have said:

"I have heard it intimated that an amendment to our present tariff laws is likely to be proposed at the next session (but with what prospect of passage I cannot say), substantially as follows:

"'Be it enacted, that whenever any country grants to the people of any other country privileges within its markets which are withholden from the people of the United States, then and in all such instances the tariff duties on all merchandise coming from those countries showing such preferences shall be —— per cent. higher than provided in the schedules of existing tariff laws.'

"This would constitute a maximum and minimum tariff, the maximum to be enforced only against such countries as exact a maximum rate against us."

III. *Possible Combination of Double Tariff and Reciprocity.*— Having outlined above the salient features of the two great tariff systems which divide into two economic camps, with more or less distinctness, all the countries of Europe outside the strictly single-tariff powers such as the United Kingdom and the Netherlands, it remains to consider whether the United States, in the event of a change of policy, might not advantageously adopt a combination of the two systems. If Congress were to establish a scale of maximum duties by a horizontal increase of the present rates to the extent of, say, twenty per cent., such maximum tariff could be applied to those countries which wilfully discriminate against the United States, while the regular tariff could be ap-

plied to all other countries, and, at the same time, be used, as occasion should arise, as the basis of special reductions of duty through the medium of reciprocity. The maximum duties thus created would constitute a penal tariff for use by the Executive in retaliation for prohibitory, discriminatory, or reciprocally unreasonable tariff treatment of American products. It is difficult to suggest a case of discrimination, no matter how flagrant, which could not be satisfactorily met and corrected by a system thus devised.

All tariff wars are commercial calamities, and popular sentiment is opposed to the adoption of any new system which would be likely to imperil the existing prosperity of the American export trade. It is not likely, however, that a combined system of reciprocity and penal tariff such as I have described would seriously disturb our friendly commercial relations with the world. In the first place, its very adoption would exercise a salutary influence in deterring foreign Powers from imposing discriminatory duties upon American products. At any rate, if a change of policy must come, the present is an auspicious time, in view of the fact that there are so few countries which actually discriminate against American trade; for the less discrimination the less disturbance to trade following the application of a penal tariff.

The actual situation as respects tariff treatment of American products in Europe is much more favorable than most persons suppose. There are only three countries which discriminate against imports from the United States by subjecting them to higher tariff rates than are applied to like imports from competing countries. These are France, Spain and Switzerland. It is high testimony to the skill and effectiveness of the diplomacy of the present Administration that not only has the list of discriminating countries not been enlarged by a single accession since President Roosevelt came into office in 1901, but it has recently been reduced by the withdrawal of Russia. Immediately following the happy termination of the peace negotiations an imperial ukase was issued, abolishing all the discriminatory duties that had been imposed, in the spring of 1901, as a retaliatory measure, upon important classes of American exports to Russia. Moreover, the outlook is promising that before long the same well-directed diplomacy will succeed in regaining for our export interests the

Table Showing Tariff Concessions Offered by Section 3, Tariff of 1897.

Enumerated Articles.	General Rate.	Concessional Rate.	Percentage of Reduction.
Argols, or crude tartar or wine lees, crude...	1 to 1½ cent per pound	5 per cent. ad valorem	Average 70
Brandies, or other spirits manufactured or distilled from grain or other materials	$2.25 per proof gallon	$1.75 per proof gallon	22 2-10
Champagne and all other sparkling wines, in bottles, containing each not more than 1 quart and more than 1 pint.	$8 per dozen....	$6 per dozen....	25
Each not more than 1 pint and more than ½ pint.....	$4 per dozen....	$3 per dozen....	25
Each ½ pint or less.	$2 per dozen....	$1.50 per dozen.	25
In bottles or other vessels containing more than 1 quart each	$8 per dozen, plus $2.50 per gallon on quantities in excess of 1 quart....	$6 per dozen.... plus $1.90 per gallon on quantities in excess of 1 quart ...	25 24
Still Wines, and Vermuth:			
In casks	40 and 50 cents per gallon ...	35 cents per gallon	12½ 30
In bottles or jugs, case of 1 dozen bottles or jugs, containing each not more than 1 quart and more than 1 pint, or 24 bottles or jugs containing each not more than 1 pint	$1.60 per case..	$1.25 per case..	21⅞
Any excess beyond these quantities found in such bottles or jugs	5 cents per pint or fractional part thereof..	4 cents per pint or fractional part thereof..	20
Paintings in oil or water colors, pastels, pen-and-ink drawings, and statuary	20 per cent. ad valorem	15 per cent. ad valorem	25

complete most-favored-nation treatment in Switzerland uniformly enjoyed prior to 1900. According to reliable European press statements of recent date, the Government of that country has decided to apply the conventional rates to imports from the

United States on and after January 1st next, which would, indeed, be a graceful act of international comity, as well as the wisest commercial policy. This would reduce the number of discriminating countries to two, disregarding those British colonies —the Dominion of Canada, New Zealand, and the South-African Customs Union—which grant preferential tariff treatment to imports from the Mother Country.

In the light of the ease with which our existing Commercial Agreements with France, Germany, Italy and Portugal were negotiated and put into operation, and their subsequent immunity from criticism by the domestic interests supposed to be affected, it might be found expedient to give preference to reciprocity by agreements based upon legislative authorization similar to that contained in Section 3 of the Tariff Act of 1897, with a greatly extended list of concessional articles selected by Congress to meet the conditions of trade with the several leading countries of the world. The reductions of duty provided by Section 3 appealed mainly to France, and in less degree to Germany, Italy and Portugal. The scope of that section is shown in the table printed on the preceding page.

In order to give wide application to the reciprocity principle, Congress would only have to extend the present short list of argols, wines, spirits, paintings and statuary, into a list applicable to all the countries with which the United States might advantageously enter into closer commercial relations. Reciprocity agreements made in accordance with this plan would be put into effect by proclamation of the President, without submission to the Senate or subsequent approval by Congress. The Supreme Court of the United States has decided that statutory reciprocity of this kind does not involve a delegation by Congress of its legislative power, but that the procedure is in entire conformity with the Constitution. Our recent experience with it has been satisfactory and the plan commends itself to the favorable consideration of American statesmen.

JOHN BALL OSBORNE.

THE GENERAL SITUATION IN MOROCCO.

BY ION PERDICARIS.

When the representative of France went up to Fez last winter, where he still remains with but faint hope of establishing the exclusive control which was the object of the Mission, the Moorish Government was exposed to other and even more immediate perils than the loss of the independence which it has maintained inviolate for so many centuries.

The Sultan was then about twenty-six years old and, though inexperienced, was well disposed; he was, indeed, too humane to inspire terror among the turbulent populations over whom his father had ruled, men who only respect those whom they fear. The favor shown by him to Europeans, his love of pleasure and of foreign customs, and, more especially, his indifference to native opinion, had awakened general distrust throughout the Sultanate, and, worst of all, his subjects doubted his devotion to the faith of Islam.

Moulai Abd-el-Aziz had nominally acceded to the throne on the death of his father in 1894; but, in reality, he assumed the reins of power only when the Grand Vizier Ahmed Ben Mousa died in 1900. The young Sultan was outspoken and overconfident. To add to his difficulties, he was a younger son by a Circassian mother; while an elder brother, Moulai Mohammed (the son of a Moorish woman, a Shereefa of the powerful Rehamna Tribe), had been disqualified as his father's successor only because of his own turbulent disposition.

This brother was a virtual prisoner when Abd-el-Aziz was proclaimed Sultan at Rabat by the desire of the late able ruler, Moulai-el-Hassan, the father of these two princes.

Three years later, a serious insurrection broke out among the Berber mountaineers near the Algerian frontier. In 1902, the

leader of this movement, a certain Gilali-el-Zarhouni, established himself at Taza. This adventurer appeared mounted upon a she ass and attended by twelve followers. Owing to this affected humility, he was generally called Bou Hamara or "He of the she ass." Though El-Zarhouni professed at first to prepare the way for a claimant of royal lineage, this adventurer ultimately asserted that he was himself the Sultan's elder brother Moulai Mohammed, the rightful heir to the throne.

At one moment, the considerable force which had flocked to his standard enabled the pretender to threaten Fez itself for several months, and though this disaster was averted, yet in a subsequent campaign Abd-el-Aziz, at the head of his army, was defeated and barely escaped capture.

For three years Bou Hamara, or the Rogui (as he is also sometimes called), has defied the utmost efforts of the Shereefian arms. The regular troops were ill affected toward the Sultan, while the temporary levies of Berber tribes, whom Abd-el-Aziz summoned to his assistance, often went over to the enemy. It is said that several batteries of field pieces were thus acquired by the rebels, while the latter are also believed to have secured no less than sixty thousand rifles.

The native administration, at the best, was singularly chaotic, the accounts especially being in terrible disorder.

The revenue in normal circumstances chiefly depended upon the process known as "squeezing." The district governors or kaids wrung tribute from the recalcitrant tribesmen by imprisonment. The confinement without maintenance, to which these victims of extortion were subjected upon various irrelevant charges, amounted to torture. When the governors themselves had become enriched, they, in their turn, were compelled to disgorge their ill-gotten gains for the benefit of the imperial treasury. Abd-el-Aziz, acting upon English advice, endeavored to remedy this state of affairs. Reforms were instituted. The governors were paid and the prisoners were fed. These measures, however, only added to the general relaxation of authority, and taxes could no longer be collected.

The Sultan's reckless personal extravagance, and especially the costly campaigns against the pretender, completed the financial embarrassment; hence the duties levied at the custom-houses now constituted almost the only revenue at the disposition of the

Shereefian Government; and, of the amount collected at the ports, only a mere percentage reached the treasury, since a large proportion remained in the hands of the local functionaries.

It had long become evident that the Sultan would not be able to defend himself indefinitely without assistance, and the foreign Governments most directly interested in the maintenance of order in the Sultanate were forced to discuss measures that might meet the requirements of the perilous situation.

The contiguous frontier between Morocco and the French Algerian possessions justified the French Government in suggesting that, in return for certain concessions in Egypt and other quarters where English and French interests conflicted, England should accord a free hand to France in Morocco. A scheme was devised by the able Minister of Foreign Affairs at Paris, M. Delcassé; and, in order to disarm opposition both in France and abroad, the plan was described as one of "pacific penetration." Lord Lansdowne, on the part of the English Foreign Office, assented to the proposed arrangement, but there were other Powers possessing interests in Morocco. Spain and Italy required assurances as to the effect of these measures upon their own pretensions, but no attention was paid to the ominous silence of Germany, nor were the inhabitants of Morocco itself taken into account. It was thought it would be sufficient if the Sultan's assent could be secured; but, early in 1904, when the inhabitants in the neighborhood of Tangier began to realize the menace to Moorish independence implied in the public announcement that the Anglo-French negotiations had been concluded and that England had accorded the free hand which France desired in Morocco, the greatest bitterness and apprehension were manifested, especially when it was understood that the French offer of a loan of fifty million francs to the Shereefian Government was conditional upon the establishment of French inspectors at the various custom-houses of the Moorish ports.

The acceptance by the Sultan of this loan was the signal for disturbances. Among other incidents, foreign residents were attacked at their villa near Tangier, where the various legations are situated, and were carried off by night to the mountains, where they were held as hostages to extort ransom from the Sultan; and, later on, the road from Tangier to Fez became so insecure that the French special Mission to the capital was obliged

to proceed by water to Larache, where the military escort which had been sent from Fez to accompany the Minister and his party had been constrained to await their presence, as the escort itself was afraid to venture nearer to Tangier.

On the arrival of M. Saint René Taillandier at Fez, negotiations were at first cordial enough. The Sultan acceded to the establishment of French inspectors at the custom-houses, and also authorized the appointment of a French officer to command the native military or police force at Tangier.

Further advances were soon required to enable the improvident Government at Fez to maintain its authority, but the Sultan reluctantly refused to sanction the conditional measures of administrative and military control to be exercised by French officials throughout the Sultanate, and with the best of reasons, since Abd-el-Aziz had been warned by the Ulema and other notables that, should he accede to any such arrangement as the French proposed, it would certainly cost him the throne and possibly his life.

Some display of force had now become essential to insure the success of the French scheme.

Unfortunately for M. Delcassé, the temper of the majority in the French Chamber of Deputies was strongly opposed to any outlay, or even to any manœuvre which might afford the armies or the navies of France an opportunity to win distinction. M. Jean Jaurès, the president of the Socialist group and the leader of the Chamber, declared that not a single franc nor a single soldier should be devoted to any military adventure in Morocco.

In consequence of this decision, the Mission at Fez found itself in a most embarrassing position and without any available means to overcome the Sultan's terrified refusal to advance further on the path along which he had been thus far successfully lured.

This was the state of affairs on the 29th of March, 1905, when the Kaiser visited Tangier.

The Emperor of Germany declared on landing that he did not recognize the right of any Power to exercise a predominant control in Morocco.

William II was accompanied by Count von Tattenbach, who had formerly represented the German Government at the Shereefian Court and who thoroughly understood both the men with whom he had to deal and the situation. This envoy was

presently despatched to Fez in order to prevent the consummation of the French plans. The means at his disposition were also limited, but they were sufficient.

The German Minister informed the Sultan that the Emperor would hold the Moorish Government to existing agreements with Germany, agreements based partly upon the Madrid Convention of 1880, which assured to each of the ten signatory Powers the advantage of the most-favored-nation clause, and partly on a subsequent commercial treaty with Germany which had also been ratified.

This procedure on the part of such a power as Germany constituted an insuperable obstacle to the Sultan's adhesion to the French demands for an exclusive control, in return for the further financial assistance of which the Sultan still stood in such desperate need. It was evident that Abd-el-Aziz could not defy, alone and unaided, the power of Germany. Would the French lend him armed assistance? No? In that case, the Sultan could neither shirk nor disavow his treaty obligations to Germany. Count von Tattenbach consequently succeeded in holding up the French Mission at Fez; and, the appeal of M. Delcassé for support being again rejected by the Chamber of Deputies, no other course was left to the French Minister of Foreign Affairs but to resign. Thus not only was the doom of French pacific penetration in Morocco apparently disposed of, but the downfall of the most brilliant Minister of Foreign Affairs of the Third Republic was also assured.

The Sultan of Morocco breathed again, yet how was his urgent need for financial assistance to be met, since his only certain source of revenue, the receipts derived from the Moorish customs, had already been pledged to the French?

A firm of German financiers now opportunely offered a small loan to meet immediate necessities, the advance to be covered or guaranteed by the transfer of Government land in the neighborhood of Tangier and the other ports. This apparently unimportant transaction may ultimately prove extremely disadvantageous to English interests, since it might gravely imperil the security of Gibraltar should Tangier pass under the control of a possibly hostile Power. The British Foreign Office, indeed, had been repeatedly implored, both by English merchants and by military and naval experts, to include the neutralization of Tan-

gier in the Anglo-French agreement while it was yet time; but so eager were the British authorities not to offend their French friends that this precaution had been neglected.

Another disturbing arrangement presently became known. Sir Arthur Nicolson, the former British Minister at Tangier, had induced the Sultan to entrust the erection of a new pier at that port to an English *concessionnaire*. The lately constructed pier now required repairs, and the concession for this work has been secured by Count von Tattenbach for a German firm. Nor was this all. Tangier had been chiefly dependent for its communications with Gibraltar upon two small cattle-transports belonging to a local firm. The service was irregular, and there was only a steamer every other day. We now learn that one of the great German companies is to put on a daily winter service of large passenger-vessels, and thus, imperceptibly, the predominant influence at the gate city of Morocco is passing into German hands, chiefly owing to British indifference and inertia.

Singularly enough, the immediate effect of this German intervention upon native opinion throughout the Sultanate itself seems to have been to tranquilize, in some measure, the hitherto rapidly increasing dislike to foreigners, and to modify the widespread disaffection of the subjects of the Sultan. The danger of being deprived of their independence by the French appears also to have rendered the population more disposed to stand by their own ruler; while the latter, on his part, now realizes the necessity of deferring to native opinion where measures of importance are concerned.

Let us now consider the probable result to foreign interests generally of this failure of the French to assume control in Morocco. Had M. Delcassé been as effectually supported in the French Parliament as he was by Great Britain and Spain, Morocco might have become a second French possession like Madagascar, or another protectorate according to the Tunisian pattern.

Life and property might have been eventually rendered secure, but only, as in these above-mentioned cases, by the employment of a considerable armed force. All commercial advantages, however, would have been ultimately reserved for French firms and colonists. It is true that the Anglo-Hispano-French agreement stipulated that no tariff should be imposed, invidiously affecting

subjects of other nationalities, during a period of thirty years, a term equivalent merely to an instant in the life of a community, a limitation that would not protect the interests even of a single generation.

The chief advantage to be secured in Morocco, to wit, Government concessions for building roads, for improving the ports and for other public works, these, even from the very outset, would have been assigned only to French Syndicates.

In the mean time, the protection to life and property, where subjects of other nations were concerned, might have proved problematic, especially in view of the unwillingness of the French to incur expense or to employ either their army or their navy in Morocco except under the most extreme pressure. The French were, indeed, prepared to accept any advantage which the clever scheme of M. Delcassé might secure, but they did not propose to assume any of the responsibilities which the plan might entail. It was "take all and give nothing." Even the fifty million francs loaned to the Sultan were not provided, nor even guaranteed, by the French Government. The loan was merely floated at the risk of private subscribers by *La Banque de Paris et des Pays bas.*

Now, however, since the German intervention, the mood in France may possibly change, and the Kaiser's insistence may yet arouse the sentiment of patriotic determination which was not indeed strong enough to make his countrymen support the French Foreign Minister, who had contributed so largely to the prestige and respect which France everywhere enjoyed, but may awaken a sentiment which may now lead the country to commit itself to that very policy of military adventure which the French declined to undertake when only Moorish opposition was to be feared. Even should the Republic finally succeed in establishing the exclusive control over Morocco to which the French colonial party still aspires, her statesmen may do well to remember that, should France ever become entangled in any dangerous struggle, either at home or abroad, this policy may provoke, at some such inopportune moment, a general Moslem upheaval, not only throughout Algeria and Tunis, but even in far-off Timbuctoo, as well as in Morocco. In this case, the latter territory might yet become for France a veritable African Manchuria.

Against such dismal possibilities, France, it is true, is forti-

fied by alliances and understandings; but who shall assert that either England or Spain will actually draw the sword on behalf of their recent friend, although there are writers who suggest, even now, that the United States might do well to join this possible coalition against the alleged aggressions of the German Emperor.

Let us hope, however, that no such warlike previsions may be realized. The tide of opinion throughout the world has set strongly in favor of peace and good will among the nations.

To return to Morocco, the best means of securing some modicum of law and order in that unfortunate country may be for the Powers who adhered to the Madrid Convention to appoint delegates or advisers to assist the Sultan in his attempts to wisely administer his Sultanate, since, fortunately, Abd-el-Aziz, unlike the Sultan of Turkey, really desires reform. He must, however, first be rendered secure upon his throne, and ultimately be so guided that his efforts may yield some practical result beyond merely filling the pockets of the syndicates of any one single Power.

It must, however, be admitted that, when we consider the Morocco problem either from a French or from an English point of view, the outlook seems sufficiently discouraging. France was divided in her councils from the first, while England has played the curious rôle of a backer at all costs of French policy. The strangeness of this very exaggerated disinterestedness has attracted the attention of Germany, since the slight consideration secured by Great Britain in Egypt or at other points of Anglo-French contact seemed but trifling compensations for the abandonment of the dominant influence which England had hitherto exercised in Morocco, thanks to a long succession of able and popular representatives. The Emperor William has not hesitated, therefore, to profit by the French uncertainties, as well as by the English abandonment of the young Sultan, not a little of whose trouble was due to having followed the advice of that Power.

England and France, on joining hands with all the ardor rather of long-parted friends than of former rivals, had moreover indulged in somewhat premature rejoicing elicited by the defeat which it was alleged M. Delcassé had inflicted upon German diplomacy. Had not this gifted minister strengthened the

alliance of France with Russia, and had not this alliance been supplemented by friendly agreements with England, with Spain and with Italy? True; but one decided leader who knows his own mind and can dispose of such resources as the German Empire commands may prove to be a host who must still be taken into account.

It is yet too early to judge how Morocco herself may ultimately be affected by German policy. The local interests at stake are, however, scarcely sufficiently important to Germany for that Power to risk a war.

Probably the Emperor may content himself with drawing the Morocco herring across the trail of these Franco-English and Franco-European agreements. Should they go to pieces under the strain to which he thus subjects them by his Morocco play, it is possible that he may then frankly extend that redoubtable "mailed fist" and once more exclaim: "Why not let us all be friends!"

If this opportunity should be offered, perhaps "the other boys" had best come in as gracefully as may be, since bankrupt Morocco can scarcely be considered worth a European conflagration.

ION PERDICARIS.

A BRIEF REVIEW OF THE SUBJECT OF FEDERAL RAILROAD REGULATION.

BY J. WALTER LORD.

WITH the next session of Congress close at hand, the question suggests itself whether that body will agree upon some form of legislation designed to correct the alleged abuses in railroad operations. During the agitation last winter, the Senate and the House held opposite and extreme views upon the subject; and the former, so frequently referred to by not very complimentary epithets, such as "distinguished railway attorneys" and the like, blocked the passage of legislation of a most radical character—the Esch-Townsend Bill—which had been passed by the House. Subsequently, it has developed in the hearings before the Senate Committee that the problem, besides being one of vital importance, because of the far-reaching effect which any legislation affecting railroad operations would have upon the interests of the country, is fraught with difficulties of both an economic and a legal nature. The complexities of railroad operations peculiar to the business itself give rise to difficulties of the former class; while the constitutional limitations upon the respective powers of the coordinate branches of the Federal Government present difficulties of the latter.

Broadly speaking, the evils alleged by the shipping public to be prevalent, and which call for correction, are three in number: extortionate rates, discrimination and the private-car abuse. That the existing Federal legislation is powerless to prevent the abuse last mentioned must be conceded, for private car line companies are not by its terms brought within its scope. That it has to a great extent prevented the other two abuses is attested by the marked decrease in their prevalence; but that it is powerless to eradicate them is evident from an analysis of the legislation itself.

The Interstate Commerce Act, passed by Congress in 1887, was designed to prevent extortionate rates and prejudicial discrimination, the latter in its various forms, owing probably to absence of legislative restraint, having become a not uncommon practice. Both extortionate rates and prejudicial discrimination had for a long time been recognized as unlawful under the common law, it being a fundamental principle of the law of common carriers that the shipper has a right to have his goods carried at a reasonable rate and at the same rate as those similarly circumstanced to him. But to enforce these rights he was obliged to bring an action in the courts for the recovery of the extortionate excess or for injunctive relief. This was a slow process, and the shipper was at great disadvantage in obtaining the requisite evidence to support his claim. Furthermore, the decision of the court extended only to the case of the individual who had brought suit. To expedite redress and to effectually police railroad traffic, some legislative action became imperative, and the Interstate Commerce Act was passed. Prior to this act, laws of a similar nature had been enacted by several States, but these could not reach interstate shipments, which constitute seventy-five per cent. of the railroad business of the country.

The Interstate Commerce Act was in the main merely declaratory of the common law. It declared unreasonable rates and unjust discrimination amongst particular shippers to be unlawful, defining the latter and specifying its various forms in such a manner as to leave no loophole for evasion. Subject to these two prohibitions and to the further prohibition against undue preferences to localities and traffic, it left the carriers free to make their own rates and regulate their own relations with various shippers. It was "rate-making" legislation only in a very narrow sense. It established legal rates by requiring the carrier to publish its schedule and to adhere to the rates so published, charging neither a greater nor less compensation in any case. It, however, left the carrier at liberty to advance or reduce its rates by giving notice of its intention to do so—ten days in the case of advance, three in the case of reduction. An administrative body, the Interstate Commerce Commission, was created for the purpose of supervising the operations of interstate carriers, and was charged with the duty of enforcing the provisions

of the Act. To do so effectually the Commission was empowered, in case it found a carrier violating the law, to serve an order upon the offending carrier to desist from this violation; and, in case the carrier disobeyed, to apply to the Federal Courts for an injunction. Criminal penalties were also prescribed by the Act.

The practical operation of the Interstate Commerce Act was of decided benefit to the public. Combining, as it did, in one bureau both supervising and prosecuting machinery, it still recognized the right of the carriers to manage their own business, and the result, while not Utopian, gave general satisfaction for a considerable period. It was supplemented in 1903 by the Elkins Act, designed more effectually to prevent rebates by bringing within the purview of the statute all parties concerned in such a violation, and designed further to secure speedy redress in case of any violation of the law by providing for the summary issuance of the writ of injunction by the courts. It is now claimed that the existing legislation does not afford sufficient protection to the shipping public against extortionate rates, prejudicial discrimination and the private-car abuse.

Extortionate Rates.—Under the existing legislation the power of the Commission is limited to a declaration that a rate charged is unreasonably high, and therefore in violation of the Act. It has no power to order what rate shall obtain in the future, or to decree what rate is a reasonable maximum. Consequently, in case a carrier's rate is declared to be unreasonable, it has only to alter it a fraction lower. This in turn, if still unreasonable, must be declared invalid; and so on, until the rate is reduced to a reasonable maximum. Thus, in theory there is a repetition of labor which renders futile the work of the Commission. A short-cut method is suggested, under which the Commission shall be empowered to substitute a rate for that found to be unreasonable. This substituted rate may be one of two kinds—an absolute rate or a maximum rate. An absolute rate is a fixed and inflexible rate, from which the carrier cannot deviate. The published rate of the carrier under the present Interstate Commerce Act is such a one. A maximum rate represents the maximum limit of reasonableness, and admits of rate-flexibility in that the carrier, though restrained from charging a higher rate, may nevertheless charge a lower one, if this is made necessary by considerations of business policy. The Esch-Townsend Bill gives the Com-

mission power to substitute an absolute rate, in that by its terms such substituted rate becomes the published rate of the carrier. The desirability of investing the Commission with power to fix a maximum rate has been suggested, but no bill has been submitted which would accomplish this purpose.

In both their legal and economic aspects there is a wide difference between these two rates. To give the Commission right to substitute an absolute rate would practically take out of the hands of the carrier the rate-making power. To give the Commission right to name a maximum rate would simply impose legal limits on the carrier's exercise of the rate-making power. An absolute rate is founded upon considerations of desirability—a business standard; a maximum rate upon considerations of reasonableness—a legal standard. A reasonable rate is one neither so high that it is extortionate against the shipper, nor so low that it is confiscatory against the carrier. A desirable rate is the one lying between these two extremes which is best adapted to business exigencies. Consequently, a rate may be reasonable, and yet unwise; neither extortionate nor confiscatory, but yet impracticable. Conditions of a relatively permanent nature, such as cost of construction, cost of operation and average volume of business, might serve as a guide for marking the limits of reasonableness; but the varying and diverse conditions attaching to railway operations, such as density of traffic, return loads, competition and many others, determine the absolute rate. Hence, railway rates are naturally elastic, and their elasticity enlarges the scope of their reasonableness.

The objections urged against investing the Commission with power to substitute an absolute rate are both practical and legal. Rate-making, while not an exact science, is one requiring special skill and training, but, most of all, a thorough knowledge and close observation of the varying conditions to which rates are adapted. On the railroads of the country, several hundred experts, each with a large staff of assistants, are exclusively engaged upon the business of making and adjusting rates. These rates have to be changed from time to time, and not infrequently upon very short notice. Would it, therefore, be wise to commit this power to a small body of untrained men, who would not have the opportunity to keep themselves accurately informed as to the diverse conditions attending railroad operations? Of course, the

magnitude of the task would forbid the Commission setting about to revise all the railroad rates throughout the country, nor would there probably be any attempt on its part to do so. But railway rates are so interdependent that the naming of one unwise rate would unsettle many others, and rate demoralization would ensue.

It is also objected, on legal grounds, that Congress could not constitutionally invest the Commission with this power. The Supreme Court has said that "the power to prescribe a tariff of rates for carriage by a common carrier is a *legislative,* and not an administrative or judicial, function," and has indicated the unwisdom of delegating this power to an inferior tribunal, if it is to be taken out of the hands of the carrier, by referring to it as "a power of supreme delicacy and importance." If the power to fix an absolute rate, which certainly involves the power to prescribe a tariff of rates, is a legislative function, then it can be exercised only by Congress; for no principle of constitutional law is better settled than that Congress cannot delegate to any other tribunal the exercise of legislative powers. While Congress can leave to the administrative part of the governmental machinery, or to any other agency which it appoints for carrying out the laws passed by it, the exercise of a certain amount of judgment or discretion, this can only be essentially an executive discretion, which excludes considerations of wisdom or expediency. To ascertain the existence of a state of facts upon which the law is to become effective, and to express in terms a certain standard embodied in the statute, are instances of the exercise of such a discretion. If, however, Congress embodies in the statute no more precise standard for the guidance of the administrative agency than the standard of reasonableness (*e. g.,* that all rates shall be reasonable), and leaves to this agency the power to prescribe an absolute rate, it thereby invests it with a discretion involving considerations of wisdom and expediency, for an absolute rate is based solely upon these considerations.

A maximum rate, however, is not, as we have seen, based upon these considerations, because it leaves the carrier free to adapt its rates to business exigencies, thus preserving the normal elasticity of rates within the domain of reasonableness. It merely defines the limit which the carrier cannot, and at common law

ought not to, transgress, viz.: the line where extortion and oppression begin. If Congress, in respect to rates, legislates no further than it does at present—that is, lays down the rule that rates shall be reasonable (and this is apparently the point where the nature of the subject-matter imposes practical limitations upon the action of Congress)—there would seem to be no objection, on constitutional grounds at least, to investing the Interstate Commerce Commission with power, in executing the law, to apply the standard embodied in the statute, even to the extent of expressing that standard in terms applicable to the particular case. It would be empowering the Commission to go one step further in its control of rates than it now does; and, though different in form, it is the same in substance. To declare a rate to be unlawful because it is unreasonable is but to say that it exceeds a maximum reasonable rate. To fix a maximum rate, in conformity to the standard of reasonableness laid down in the law, involves no different mental operation from that required in declaring a rate to be unreasonable; involves no considerations of wisdom or expediency; and would therefore seem to be an exercise of a judgment or discretion appropriate to the administrative branch of government.

Legislation of this form would remedy the defects existing in the present laws in so far as the latter are alleged to be inadequate to effectually protect the shipper against extortionate charges. Of course, the order of the Commission would have to be subject to review by the courts, and the latter empowered to vacate the same if the maximum prescribed be not the true maximum reasonable rate. Whether the court could be constitutionally empowered, in cases where it disaffirms the finding of the Commission, to substitute a maximum rate for that disaffirmed, and thus prevent the work of the Commission from being entirely nugatory, is a point upon which there seems to be some doubt. It has been argued that this would be conferring rate-making power upon the court. Fixing a maximum reasonable rate, however, is not rate-making in a legal sense; it is rather the expression of a legal standard in its application to a particular set of circumstances. It has also been argued that the Interstate Commerce Commission, in its excessive zeal to conserve the interests of the shipper, would invariably err in fixing a maximum rate so greatly below a reasonable maximum, as to work a

stricture on railroad operations pending a rescission by the court. And the fact that the findings of the Commission in the past have, in the great majority of cases, been reversed by the courts is alluded to as a strong indication of this probability. It seems that this argument has not been satisfactorily met. And the question, therefore, resolves itself into the issue, whether extortion is so prevalent as to demand legislation along these lines.

The testimony before the Senate Committee tends strongly to sustain the belief that extortion is merely an ancillary ground of complaint; that railroad rates in general have decreased during the past ten years, notwithstanding an increase in the cost of labor and materials; that carriers, as a rule, have accepted the suggestions of the Interstate Commerce Commission as regards reduction of rates, although these suggestions have had no legal force; and that, while there may be occasional instances of extortion, these are of rare occurrence, and as an evil, formerly prevalent, it has now virtually ceased to exist.

Discrimination.—Indeed, the gravamen of complaint is discrimination. Discrimination in railway rates falls under two general heads: secret discrimination and open discrimination. The former, affecting the shipper as an individual, is practised through rebates and departures from the published tariff; the latter, affecting the shipper as a class, through preferential rates to localities and unfair classification of commodities. Treating these two general forms of discrimination separately, it is to be first observed that legislation investing the Commission with power either to prescribe absolute rates or to designate maximum rates would not serve to prevent, any more effectively than does the existing legislation, discriminations of the first class. Carriers could and would, if they desired or found it expedient to do so, depart from the legal rate fixed by the Commission, as freely as they now depart from the legal rate fixed by themselves. No new form of legislation which meets all well-founded objections seems yet to have been devised. The most effective plan is that suggested by The New York Board of Trade and Transportation. This measure, which embodies views similar to those advanced by the Interstate Commerce Commission in 1890, contemplates the prevention of the evil by the action of the offending carrier itself. It thus eliminates the question of the right of Congress to delegate to the Commission the power to prescribe a rate or regulation

to govern in the future, and also meets the practical objection that this power should reside in the carrier.

The scheme of this measure is that, when a carrier practises discrimination, either by granting a rebate or by charging a rate lower than the published tariff, the net rate so produced becomes thereupon the legal rate. Thus, if the carrier's published rate is fifty cents, and, by rebate or otherwise, he in effect charges a shipper forty-five cents, the latter becomes the legal rate; and, if he thereafter charges a shipper forty cents, this in turn becomes the legal rate. This method would, in all probability, more effectively act as a deterrent to discrimination than the imposition of fines, the penalty under the Elkins Act. But, while in this respect it might be highly beneficial to the shipping public, it involves the possibility of injury to innocent parties. If the officers of a railroad, either in their excessive zeal to increase its business, or from improper motives, practise discrimination to the point of reducing the rates below the line of confiscation, the innocent stockholders must suffer. To this it is answered that, fundamentally, the stockholders are responsible for the acts of the officers they elect. But, while that may be legally true, the injustice of this principle in its application to such a state of facts is quite manifest. A weightier objection, however, is that the action of the offending railroad would affect innocent competitive carriers. These latter, in order to retain their business, would have to meet the rates established by the first railroad; and, consequently, the plan suggested would place it in the power of one offending railroad to demoralize the business of others. The period of railroad bankruptcy, due to disastrous competition and rate-cutting, is still fresh in mind. And the wisdom of enacting legislation calculated to cause penalties imposed upon a guilty railroad to react on the innocent, and in so doing to bring about a repetition of these conditions, is certainly questionable.

It is exceedingly doubtful whether the occasion demands any radical change in existing legislation, in so far as discrimination of the first class is concerned. The testimony before the Senate Committee tends to show that, since the passage of the Elkins Act, the granting of rebates and departures from the published tariffs have almost wholly ceased, the summary legal process provided by that Act having been largely instrumental in bringing about

this result. Practices which in effect amount to discrimination against individuals, such as underweight billing and allowance of false claims for damages to shipments, and similar devices, are not uncommon. It is claimed by the railroads that the broad language of the Elkins Act covers these minor cases of discrimination. But, if it does not, there is no practical or legal objection, as we understand it, to amending the terms of the Act so that they shall be brought within its scope, so long as the policy of the Act remains unchanged.

Regarding discrimination of the second class (that in which the carrier gives to one locality a commercial advantage over others, by its relative adjustment of rates, or where it so classifies commodities as to work a disadvantage to shippers of a particular description of traffic), there are many cases which lay a strong foundation for complaint. Of these, however, the vast majority are cases of local discrimination, there being comparatively few of traffic discrimination. It was the policy of the original Commerce Act to prevent discriminations of this nature, as well as individual discrimination; and, by Section 3, it was made unlawful for a carrier to "give any undue or unreasonable preference or advantage to any . . . . locality, or any particular description of traffic, *in any respect whatsoever.*" The summary procedure under the Elkins Act extends to "any discriminations forbidden by law." This phrase, however, has never been regarded as embracing local and traffic discrimination, and it is exceedingly doubtful whether it does, because the Interstate Commerce Act, in defining discrimination, specifies only cases of individual discrimination and refers to these other forms as "undue preferences."

The question at once suggests itself, whether the most sensible remedy for these evils would not be to bring them within the scope of the Elkins Act by appropriate amendment. Local discrimination being by far the preponderating evil, what is principally desired is the breaking up of the so-called "conspiracy among railroads against particular communities." What was principally desired to be accomplished by the Elkins Act was to minimize the practice of individual discrimination, and the summary procedure which it provides has done so. On the question of local discrimination there seems to have been suggested no middle course between the form of remedy embodied in the

Elkins Act, and measures which in effect would invest the Commission with power to fix absolute rates. As to the latter, we again encounter the practical and legal objections which prevail against taking the rate-making power out of the hands of the carriers and giving it to the Commission. And, moreover, we are also getting into dangerous proximity to the constitutional restriction on the power of Congress, that "no preference shall be given by any regulation of commerce or revenue to the ports of one State over those of another." The exercise by the Commission of the power to adjust relative rates might in many cases work such a preference. Indeed, the charge of conspiracy among the railroads rests in a large measure upon the existence of such preferences. Whether there exists such a conspiracy seems to be more a matter of assumption than of sound inference. The relative adjustment of rates amongst the various competitive ports and sections of the country is a task of a very complex nature, and it is not always fair to ascribe local discrimination to improper motives; especially when this practice had its origin in what has proved to be an important factor in the development of the country—the encouragement of industries along the line of the railroad. Assuming the right of Congress to invest the Commission with such power, could that body satisfactorily adjust rates without disturbing railroad equilibrium, and without working a preference to some ports? And is a measure of doubtful constitutionality, involving a radical departure from our previous governmental policy, to be preferred to an existing form of legislation which has done useful service in minimizing an evil similar to the ones now desired to be corrected?

The Private-Car System.—The private-car evil, it is alleged, involves both extortion and discrimination, practised, not directly by the railroads, but by the private parties operating refrigerator-cars under a lease to the railroads, and by corporations, similarly operating such cars, which are closely identified with railroad interests. The number of refrigerator-cars in use to-day amounts to 50,000, of which 35,000 are owned by strictly private parties. Armour, a private operator, and at present the owner of about 15,000 cars (operated by the Armour Car Lines Co., a distinct corporation from Armour & Co.), was the pioneer in the development of this enterprise. To meet the periodic demands for the transportation of perishable crops from the various sec-

tions of the country, it was not practicable for the railroad companies to furnish suitable cars in sufficient numbers. Perishable goods being shipped from a particular section only for a brief period during the year, the equipment of a railroad company adapted to these shipments would necessarily remain idle most of the time. The logical solution of this difficulty was the independent company to operate suitable refrigerator-cars, and by diverting them to the various sections of the country, as occasion demanded, to keep them continuously employed.

As an inducement to the undertaking of this enterprise, the railroad companies made exclusive contracts with these car companies. Under this form of contract, the railroad company pays the car company mileage (generally three-fourths of a cent per car per mile) for the use of cars, and agrees to use them exclusively on its road. The car company is also allowed an additional compensation for icing at point of shipment and for re-icing at various points *en route,* and for supervision in transit. This special charge, which is collected from the shipper in addition to the regular published tariff rate, either by the car company directly or by the railroad company on its behalf, opens the way for extortion and discrimination.

Car companies not being within the purview of the Commerce Acts, there is no obligation upon them either to file or publish their tariff of refrigerating charges; and, the railroad company having, technically, no concern in this charge, there is no obligation upon it to see that this is done. Consequently, there is nothing to check extortion or discrimination in these charges but the conscience of the company. Many instances of each abuse have been charged in the controversy before the Senate Committee and are seemingly well substantiated. Indeed, extortion would appear to be a common practice. A conspicuous case is that of the Père Marquette contract, when the car-company refrigerating charges were increased 300 per cent. to 500 per cent. upon its obtaining an exclusive contract as to that road. Another alleged instance, which has a very ugly appearance, and which cannot but amount in effect to rank discrimination, is where the special charge from Gibson, Tennessee, to Chicago, 522 miles, is $73.92, whilst from Memphis to Chicago, 527 miles, it is only $15. One car company had an exclusive contract with the former road, but car-company competition prevailed on the latter.

Other forms of abuse under the private-car line system take place when the car-company interests are also shippers of perishable produce, or when it is operated by railroad interests; in other words, where its integrity as an independent company is not preserved. The exclusive contracts usually permit the car companies to obtain from the railroads any information they desire respecting shipments; and, consequently, where the car-line interests are substantially identical with shipping interests, the acquisition of this information admits of an unfair commercial advantage to be taken over competitors. Again, it is not uncommon now for a railroad to be in the car-line business, usually through a subsidiary corporation, thus placing itself, as to the car business, beyond the operation of the Commerce Acts.

The answer of the car-line interests to the charges of their critics does not seem to be altogether satisfactory, especially upon the issue that some legislation is needed. Extortion is denied, but what on their face appear to be grossly excessive charges for the service rendered are not explained, and the car companies refuse to go into the question of their earnings. Although rebates are rarely indulged in, no reason seems to be given for practices amounting to discrimination. One of the most important car companies rests its defence principally upon the benefits which have accrued to the shippers of perishable produce from the introduction and operation of this system, and shows that its charges have in some cases of late been reduced. Furthermore, it claims that growers, generally, are satisfied with existing conditions and it produces an abundance of letters to that effect.

That the private-car line system has been of immense benefit to shippers and growers cannot be questioned, but this fact does not seem to justify the conditions which apparently prevail at the present time, and which, in all probability, will continue, unless checked by Congressional action. Charges, though reduced in some instances, still appear on their face to be unreasonable.

The form of legislation most calculated to produce the best results, and which, at the same time, will work substantial justice among all parties concerned, is the Senate Bill which proposes to extend the provisions of the present Commerce Acts to car companies, and thus place them with respect to their special charges under the same restrictions and supervision that railroad companies are now under. This method has not, however, received

the unanimous approval of the shippers and is objected to by the representatives of the car companies. But the reasons urged by neither side carry much conviction. Many of the shippers object to this method, which makes the car company a common carrier, because it obliges them, in making a shipment, to deal with two carriers instead of one. Some object to thus giving legal sanction to an "iniquitous system," and advocate legislation which will entirely abolish it, and require the railroads to furnish the necessary equipment. The disadvantages of a double-carrier system are not, however, clearly pointed out; and the extermination process involves both the abolition of an established enterprise which has been an important factor in the development of the commerce of the country, and the imposition of an undertaking upon the railroads, impracticable to begin with, and which cannot but result in great economic waste. The representatives of the car lines object to the proposed legislation on the ground that the service for which these special charges are made is not interstate commerce, but merely an incident to commerce, and it is, therefore, neither right nor proper to single theirs out for regulation and not include many other enterprises engaged in rendering similar service, such as drayage and cartage companies, cab companies, coal companies supplying coal to locomotives hauling interstate freight, and others of a kindred nature. Some doubt is also expressed as to the power of Congress to regulate such a service if it be merely an incident to commerce. Whatever merit may attach to these various arguments, there is this to be said, that the situation seems to demand some Congressional action, and it is reasonable to believe that the one suggested will work the same reforms in car-line charges, both as to extortion and discrimination, as the present Commerce Acts have in railway rates.

The clearer one's understanding of the "railroad problem," the closer is one drawn to the conviction that any revolutionary form of legislation is uncalled for by existing conditions; that such legislation would be most ill-advised; and that the position, in general, of the Senate, though robbed of some authority by the identification of that body in the popular mind with railroad interests, will nevertheless commend itself to thoughtful people as the only logical one, unless, indeed, some middle ground, which has not yet been suggested, shall be worked out.

J. Walter Lord.

SIR HENRY IRVING.*

BY L. F. AUSTIN.

ONE night last June, the walls of Drury Lane Theatre resounded with such acclamations as that old playhouse has seldom heard in all its history. A solitary figure stood in front of the curtain, listening with a grave smile to the enthusiasm which seemed to have no end. It was Sir Henry Irving taking leave of the London playgoers on the last night of his season, a season made memorable at every performance by scenes very similar to this. "You are all very young," he said, when the audience would let him speak; and, indeed, to a veteran actor, near the end of his career, the youth of this vast assemblage must have been singularly gratifying. Every night Drury Lane had been thronged with young people. The younger generation had knocked at the doors in a sense quite different from that of Ibsen's famous saying. They had come in thousands, not to tell the old actor that his day was done, that his methods were outworn, that he must yield his sceptre to another, but to swear fealty to him, to crown him with fresh laurels, to thunder his praises with passionate emotion.

Thus spoke Drury Lane. It carried some of us back to the days when we also were young, when this actor was carving his way to fame, and when we clamored our best to help him. From 1905 my memory retraced the course of time to 1873, the year when I was first a pittite at the old Lyceum. How we jammed the pit to see Irving as Eugene Aram! As a haunted murderer, he had made his great success in "The Bells": here was another in the same line. In the first act, he was the melancholy

* This article was completed by Mr. Austin but a few days before his sudden death, and was written in the expectation that it would be published, as originally intended, on the occasion of the late Sir Henry Irving's projected visit to the United States in 1906.—EDITOR N. A. R.

wooer of the parson's daughter in the peaceful vicarage; in the second, the bones of his victim were exhumed, and he shrank from looking on them; in the third, he confessed his crime to the girl in the churchyard, and enacted it over again with tremendous effect. The victim, of course, had been a most unworthy person; we pittites could see that with half an eye; the displacement of his bones was a provoking accident, but for which the vicarage romance would have run quite smoothly. Irving threw such passion into the enactment of the murder before the terrified Ruth, that we were thrilled with sympathy. We gloried in being accessories after the fact.

Later came "Philip," another haunted-criminal play, wherein a Spanish gentleman of fiery temper shot his brother after much provocation. Over the dead man's face the remorseful Cain reverently drew his cloak, and then stole guiltily away, followed by our vehement plaudits. He who knows not what it is to revel in deeds of blood on the stage, when they are done with distinction, and when the doer carries about with him an abiding sorrow that makes him a romantic figure, has a poor experience of life's pleasures. Philip had not slain his brother after all. That graceless person turned up again, and made love to Philip's wife. Suspicious of some intruder on the premises, the jealous husband ordered the doorway of the room where his brother was in hiding to be walled up, when lo! a repentant apparition, eager to affirm that a brother's blood had not been shed, or, at any rate, that enough remained to justify a fraternal embrace. It was not a very good play; its note was not particularly fresh; still, the imagination of the actor, his sovereign quality, presented the idea of the haunted man with undiminished glamour.

But what of his future? Some critics predicted it freely enough, to the indignation of us youngsters in the pit, who glowered at all the bald heads in the stalls, suspecting that every man with no hair to speak of wrote like a cynic in the papers. He was a very good comedian, said those critics of Henry Irving; witness his Digby Grant in "Two Roses"; that eccentric old gentleman who supposed that delicacy of feeling could be rewarded with "a little cheque." He was a good melodramatic actor; witness Mathias, and so forth. His Charles I was not melodrama, to be sure; the critics did not know exactly what it was; they admitted, however, that it was a picturesque character, full of dig-

nity and tenderness. But we were not to imagine, for one moment, that the actor who had done these things could succeed in the dear old "legitimate." That was reserved for tragedians who belonged to a "school"; whose style had broadened slowly down from precedent to precedent; whose elocution rolled on like Byron's ocean; who had no angularities of deportment, like the ambitious gentleman at the Lyceum; who gave you Nature in her majestic mood, with an imperious roar and an earth-shaking stamp. These old tragedians loomed chiefly in our fancy and in the annals of the stage, for their school was no longer on the scene. But Phelps was still alive; the august shade of Macready was not too remote for a critic with a bald head; and, when the audacious Irving appeared as Richelieu, the sheeted dead, you might say, did squeak and gibber in the London streets.

What a "first night" that was in 1873! I can still see the bald heads growing crimson. They remembered Richelieu, a very different personage from this presumptuous innovator. We had never seen Richelieu before, but had a triumphant assurance that here was the very man. Excellent figure of the "legitimate," this Cardinal of Bulwer's! Was ever such wiliness, broad, underscored, capital-lettered, so plain that owls might see it by day? But, to be sure, Irving's wiliness was not broad enough for the critics who had memories. Hitherto he had been his own standard; he was now at grips with the Past. Is it ever easy for the old playgoer to hail the merit of the new actor, playing the familiar parts with unfamiliar method, with new and disturbing insight? We associate the characters of the drama, the characters that really live, with some personality of the stage who has made a lasting impress on the imagination.

When, at length, Henry Irving came to play Hamlet, it was a far more serious affair than Bulwer. Cradled in melodrama, his ambition aspired to the lawful line of succession in Shakespearian acting, as though he had been born in the purple. It was not so much that he offended the memory of some particular Hamlet. But Hamlet was a classic, shrined in tradition, guarded by the embattled phalanx of the old school. Here was an actor who put life into the revered abstraction, made the heart of its mystery glow with a romantic flame, interpreted the play of intellect and the depth of passion with equal mastery; and was, in fine,

the veritable Hamlet, in his dignity, his melancholy, his humor, his blasting irony, in all that was lovable in his nature.

I have seen lots of Hamlets since. I have sat in a theatre where the partisans of the Hamlet then upon the scene, and the partisans of some other Hamlet fortunately absent, have almost come to blows. I have known friendships chilled, and hearths made desolate, by the factions of the inky cloak. Anybody may be Othello or Macbeth without breaking up our happy homes; but do you dare, sir, to maintain that the Hamlet you admire is to be mentioned in the same hemisphere with the glorious being who trod the battlements at Elsinore when I was a boy? Then have at you, sir! This is why I do not enumerate those other Hamlets. But to my thinking, I have seen only one inspired Hamlet, only one actor who was born Hamlet; the rest have worn the inky cloak and the dejected 'havior of the visage; but none of them could say with conviction: "I know not seems."

This may stir up anathema in some quarters; and I should be rather glad if it did, for the present generation is in peril of a declining taste for theatrical controversy. Whenever Irving essayed Shakespeare anew, the battle raged as fiercely as ever. Macbeth, now—ah! the first night of his Macbeth; that was something like a tourney. There was a little piece before the tragedy; the queer old custom of prefacing Shakespeare with a farce, as if to fortify our spirits, was not yet dead. None of us had ever seen Macbeth; and we beheld him now as a murderer, a conscience-stricken ghost-seer, who plucks up his soldierly nerve only in the last act; in a word, the haunted criminal of the early Irving play. His martial deeds were talked about; but, until he resolved to die with harness on his back, you would never have thought he had the spirit of a warrior. The enemy blasphemed like anything; they said that Shakespeare never drew such a craven; Macbeth was a lion-hearted man, who could not have made this pitiful spectacle after Duncan's murder, his knees knocking together with abject fright. Macbeth was an heroic part; was this the heroic way of playing it? We had our misgivings; it sounded so natural that heroes should be represented heroically. But was that Shakespeare's view? Heavens! how we read our Shakespeare, and set what the "bleeding sergeant" says of Macbeth's prowess on the battle-field against the deadly insults to his manhood from the lips of his wife! Irving's con-

ception was right; and Macbeth, a bloody-minded villain with a turn for poetry and philosophy, and a paralyzing dread of ghosts —"Take any shape but that!"—must be deposed from his heroic state.

Of course, you must not insist too strongly on the meaning of Shakespeare, even when you know what he does mean. Salvini's Othello, who dragged Desdemona about by the hair in the mad frenzy of a jealous animal, was scarcely the Othello of Shakespeare, calm and sacrificial. But he was a prodigy of superb force. Fanny Kemble, when she saw Irving play Shylock, is reported to have said: "If Shakespeare could see this, he would rewrite the part." If the Shylock of the early stage tradition was the Shylock that Shakespeare did see, the comic Jew in a red wig and a false nose, he could not have been very sensitive about the acting of his characters. The dramatist who created Portia and Rosalind, and saw them played by boys, must have been content with strange illusions. The low comedian, as Shylock with red hair, tickled the groundlings, who had not the faintest suspicion that Shakespeare had made out the strongest vindication of the Jews against their persecutors. Did nobody in his day listen to Shylock's fierce irony with an inkling of the truth? "If you prick us, do we not bleed? If you wrong us, shall we not revenge?" The Jewish answer to Christian villainy was to "better the instruction"; hence the famous bond, a pound of Antonio's fair flesh. Perhaps the absurdity of a contract, wherein a subtle and crafty Jew was made to overreach himself so grossly, was the poet's concession to contemporary prejudice. Perhaps it never struck him that no man, least of all Shylock, could imagine that the law of Venice or any other state would allow him to exact such a forfeit from a debtor. When Portia condescends to come to the point, it is not her silly juggle about the shedding of one drop of blood that determines the cause; it is the obvious argument that no Jew, under any bond whatever, can be allowed to contrive against the life of a citizen. If cutting a pound of flesh off a gentleman's person is not contriving against his life, what is it? Imagine a Duke of Venice to whom this had to be pointed out! Shakespeare did not care; he took the story as he found it; and he had his recompense, perhaps, in the delight with which the populace greeted the discomfiture of the droll comedian with the preposterous nose and the inflamed wig. The

trial scene must have been very humorous in those far-off days, when the serio-comic brutality of the Jew was outwitted by a lively boy making believe to be a young woman masquerading as a Junior Counsel of the Padua Bar, and instructing an incredibly ignorant Venetian Magistrate in the elements of law and common sense. The rigors of the fun, I dare say, were mitigated as time went on, when the Jew became less grotesque, and Portia was really a woman, though rather a pompous lady, as pompous as Fanny Kemble herself. With Henry Irving as Shylock, and Ellen Terry as Portia, the course of evolution was complete. It was not in the malignity of his premature triumph that Shylock was great; it was in the splendor of his ruin, in the pathos of the broken old man tottering from the court. The Victorian playgoer sat in awe at the very moment of the story when the Elizabethan playgoer had burst into rude rejoicing.

"The Merchant of Venice" has been the chief monument of twenty brilliant years of Irving's management at the Lyceum. The dear old "legitimate" had a splendid home; and the friends of its palmy days, who had wept for its decline, began to cheer up a little, although they shook their heads at the scenery. People, it was said, went to the Lyceum to look at the scenery, and not at the acting. Heaven knows what takes some persons to the theatre; it is certainly not the play. You cannot tell why others buy books; it is not to read them. But vast numbers who had held aloof from theatres in earlier times flocked to the Lyceum, because they found so much there to gratify an intelligent taste. What Henry Irving did most notably was to bring serious people back to the acted drama. The mind that shaped every detail of a production, and brought the beauty of scenic effect into harmony with the comedy that was enacted at Venice or Messina, knew the secret of the grand style. Stage-carpenters had erected imposing structures elsewhere without captivating the public; but these were structures with no artistic suggestion to give them atmosphere. It was distinction that reigned on the Lyceum stage, not expenditure. You had the life and color of Bassanio's world, with Shylock's grim dwelling in the Ghetto over the bridge, so strongly in the memory that, in Venice, the whole scene came back to you; and the bridge itself, with the sculptured faces of a humorously Semitic cast, under which you pass from the Grand Canal, had surely echoed the footsteps of Shylock when he

returned to his house to find that Jessica had fled with her Christian lover. Who has walked in Venice without the Lyceum pictures rising in his mind? I recall those pictures, not on account of any scenic magnificence, but because they live in the imagination together with the noble figures that moved in them; just as I recall the cuckoo-clock in the simple interior of Dr. Primrose's parsonage, because it reminds me of the old Vicar, one of Irving's most admirable impersonations, making the inventory of his household gods when misfortune had overtaken him.

It is said that, as a manager, Sir Henry did much for the stage, but very little for the modern dramatic author. This is true; but, in a policy of poetic drama largely Shakspearian, the modern author could not have a conspicuous place. It would have been deeply interesting to see Shakespeare at the Lyceum alternating with a comedy of our own day by Pinero; to see Irving exchange his doublet and hose, or the ecclesiastical robes of a bygone age, for the garments which are worn by dramatic personages who have chambers in the Albany. As a matter of fact, I do not think he appeared in any modern costume on the Lyceum stage more than once in twenty-five years. In a dramatic sense the clothes would have been too small; he was too big a personality for the English comedy of our day; he would have looked like the spacious times of Elizabeth cribb'd in a Mayfair drawing-room.

Poetic dramas of all eras used to pour in at the Lyceum; a rage for historical characters possessed many persons in all ranks of life; it was quite a common thing for a man engaged in some humble but exacting avocation to toss off a five-act play in blank verse on the subject of Savonarola, and to intimate that on the Lyceum stage the success of this modest effort was certain. Unknown authors were resolved not to hide their lights under bushels; but they sent the bushels in, and there was no illumination. One illustrious hand wrote dramatic verse to some purpose. Tennyson's "Queen Mary" and "The Cup" were played at the Lyceum; and had Tennyson lived to see the production of "Becket," he would have been a gratified man. Mr. George Meredith tells an amusing story of a walk he took with Tennyson one day, when the bard was very silent and gloomy. They walked several miles, and suddenly Tennyson growled, "Apollodorus says I am not a great poet." This critic was a Scottish divine, and neither his name nor his opinion was of much

consequence. Mr. Meredith said something to that effect; and Tennyson retorted, "But he ought not to say I am not a great poet." That was the entire conversation.

Had Apollodorus said that Tennyson was not a great dramatist, he would not have outraged the heavens. When he thought of the stage in the last months of his life, Tennyson was rather embittered by the failure of that luckless piece, "The Promise of May." "But Irving will do me justice with 'Becket,'" said the poet. Justice was done indeed, and something more. After twelve years Sir Henry has been playing "Becket" again, and the spell of his personality has never been so commanding. The actor who gave us thrills thirty years ago as the haunted criminal, can do what he wills with us as the mediæval fanatic and martyr. By the cold reading of history I judge Becket to have been an obstinate bigot, resolute to protect a dissolute clergy against the laws of the realm, prating of "God's honor" when he meant his own authority, and drunk with the power which the Middle Ages gave to the priest who wielded the ban of the Church. You can read Tennyson's drama, and still have that idea of Becket very strongly in your mind. But not when you see Irving in the part; then the grasping prelate is transfigured; he is a sublime protagonist in the great conflict of Church and State; his martyrdom has a beauty of sacrifice which sums up all that the saints endured; and the accusing voice of history is stilled. The imagination of the actor has never had a greater triumph; he seems born to impersonate ecclesiastics, great Princes of the Church in all ages, and country parsons like the Vicar of Wakefield. Then you remember his sinister monarchs, his Richard and Louis, the flamboyant quality of some characters, the delicate detail of others; such a portrait in miniature as Corporal Brewster, finished to the point where it is just divided by a nicely calculated shade from painful realism. One remembers these figures with some appreciation of their diversity, looking back upon the range of art this remarkable personality has compassed.

For the actor's calling, Sir Henry Irving has done more than any of his great predecessors. None of them ever watched over its interests with his jealous care. He has combated prejudice with so fine a temper, and pursued his art with so true a service, that the public on both sides of the Atlantic has come to rank him high among its worthies; and people to whom the theatre

makes no appeal hold his name in honor. The personal magnetism of any remarkable man is best attested by its influence upon his eminent contemporaries. In Henry Irving's case, it is illustrated through some of the foremost men of his age. The Emperor William, when he met the actor, betrayed a certain preparation for the occasion; before a word could be said by way of introduction, he launched into an eloquent exposition of Shakespeare, which, I am told, threw a dazzling light on several obscure problems. Mr. Gladstone was attracted in a different way. At one period, when he was not burdened by the cares of office, he was fond of watching the performances at the Lyceum from a chair in the "wings." One night, when the stage was set for the opera ball in the "Corsican Brothers," his curiosity led him into one of the boxes for spectators in the scene. Up went the curtain; Mr. Gladstone was at once descried by the pit and greeted with shouts of joy, which caused him hastily to withdraw. This was his first and only appearance in the drama, outside of the dear old "legitimate" at Westminster. The magnetic influence of Irving induced him to give a singular performance even there. He took the actor to the House very late one evening, put him under the Gallery, and sat with a grim, impassive air on the Treasury Bench. Suddenly, without apparent reason, he leaped to his feet, and delivered an impassioned speech, set off with all the expressive and dramatic gesture for which he was so famous. The House seemed surprised; Members looked at one another, and murmured: "What is the old man up to now?" They thought it was some deep, political game. But, a week or two later, a friend of Irving's, encountering Mr. Gladstone, mentioned the actor's visit to the House, and Gladstone eagerly inquired: "What did he think of my speech? *I made it for him!*"

Never in the least suggesting the traditional player's manner off the stage, Irving has always impressed most people, I think, by an indefinable air of authority. A stranger, meeting him for the first time, might take him for an experienced diplomatist, with that sardonic humor which springs from a diplomatic knowledge of human nature. Presently, the observant stranger would detect in him the humorist, with the true humorist's kindly eye for the affections as well as the failings of his species. There has never been in Henry Irving any pose of any sort, but always a fine simplicity; a quietly impressive suggestion that the

head of the dramatic profession took that profession seriously, and exacted on its behalf the respect that was due to his own personal character. This may partly explain why he fascinates liberal-minded Bishops, and has a strong following among the junior clergy. Even Non-conformist divines have sat at the Lyceum without attempting to disguise their edification; and one of them—a famous preacher now dead—was plainly inspired in his purely dramatic moments by the secular pulpit in Wellington Street.

Long before Irving received his knighthood, the late Queen desired to confer that distinction upon him. This was as far back as 1883. He was about to pay his first visit to America; and the Lord Chief Justice, Lord Coleridge, who presided at a dinner that was given to him by a distinguished company, suggested this as an admirable occasion for announcing the signal mark of the Queen's favor. But, with his characteristically subtle sense of fitness, Irving felt that his first appeal to the American public should be made entirely on his artistic merits, without the shadow of a suggestion that he sought to influence the judgment by such a decoration. It was a delicate position; the favors of the Sovereign cannot be lightly put aside; but the choice was characteristic of the man. Since then, the American people have given him many proofs of their warm regard; and few ambassadors have done more than he to make good-will between the two nations. More than twenty years have passed since he set an unfamiliar foot on the shores which have become so friendly. There have been many changes; the ranks of the old players are sadly thinned. The melancholy grace of Edwin Booth is a beloved memory; Jefferson will delight us no more. Who that saw them can forget the brilliant nights at the Lyceum long ago, when Booth and Irving played together in "Othello," and that tragedy was represented with a general excellence such as no man had ever known? Henry Irving may be called the last of the Old Guard, crossing the ocean once more to bid farewell to the great people who have made him one of themselves for a generation. And when the moment comes for another leave-taking, and we on this side must say our own farewells to him at the close of his public life, they will mingle with echoes of friendship and regret from a throng of American hearts.

L. F. Austin.

WORLD-POLITICS.

LONDON: ST. PETERSBURG: MADRID: WASHINGTON.

LONDON, *October, 1905.*

IT will hardly surprise Americans to learn that people in England have followed with a painful interest the successive batches of insurance "revelations." It would have been extraordinary had they not done so. From the moment of the first public dissensions in the management of the Equitable, it was felt that events of great dramatic and spectacular effectiveness were about to take place. That anticipation has been in no wise disappointed. Subsequent developments—the fight between the Hyde and Alexander factions, the astounding recriminations that were bandied to and fro and faithfully reported in the English press, the report of the Frick Committee, the sale of the Hyde stock to Mr. Ryan (of whose personality and motives Englishmen are desirous of knowing more), Mr. Morton's appearance as President of the Equitable and his drastic schemes of reorganization, Mr. Cleveland's appearance as one of the trustees of the Ryan interests, the gradual widening of the area of suspicion until the three leading insurance companies of the world seemed to be the defendants on a common charge of wrongdoing, the Hendricks inquiry, the implication in what was now perceived to be an almost national scandal of many names well known and heretofore highly honored in England, and, lastly, the legislative Committee of Investigation and the amazing testimony that has been laid before it—all these incidents, which to Americans on the spot must have excited breathless interest, have fixed and held the wonder and the attention of England. That would have been the case to some extent had the chief country affected been France or Italy or Spain, and had Englishmen possessed no direct and personal interest in the matter at issue. But, as there are many tens of thousands of

Englishmen who are policy-holders in the companies whose methods have been impugned; as the Mutual, the Equitable, and the New York Life are only less well known from Land's End to John o' Groat's than from New York to San Francisco; and as anything that deeply concerns America must and does concern England scarcely less deeply, English interest in the whole affair, and English speculations on its possible outcome, have been genuinely keen and sustained. The evidence tendered to the Committee has been reproduced at unusual length by the leading English journals and has been the inspiration of many newspaper and magazine articles; and it is difficult to go about anywhere without hearing it discussed, as a matter of international interest.

The disclosures have dealt a staggering blow at America's reputation for commercial and financial honesty. The "moral obliqueness," to adopt the phrase of the Frick report, revealed by the investigation, has unmistakably shocked the sense of Great Britain and, indeed, of all Europe. A stock-exchange swindle is bad enough; a Panama affair, in which politics and finance combine to defraud the public, is worse; but most demoralizing of all is the faithlessness of men of great wealth and high position to a fiduciary trust. English opinion somewhat emphatically agrees that the spectacle of the directors of a world-wide insurance company using the accumulated savings of millions of policy-holders for their own private gain, cannot be judged by the same standards as are applied to the heads of a purely commercial concern. That may not be sound ethics, but it is human nature; and there can be no question that the disgusted indignation with which Americans have received this exposure is fully shared in over here. No American utterance on the subject has attracted more attention than Dr. Butler's at Columbia University. "Just now," he is reported to have said, "the American people are receiving some painful lessons in practical ethics. We have been watching reputations melt away like snow before the sun, and the sun in this case is mere publicity. Men who for years have been trusted implicitly by their fellows, and so placed in positions of honor and grave responsibility, are seen to be mere reckless speculators with the money of others, and petty pilferers of the savings of the poor and needy. . . . Put bluntly, the situation confronting Americans to-day is due to lack of moral principle. New statutes may be needed, but statutes will not put moral principle where it

does not exist. Greed for gain and greed for power have blinded men to the time-old distinction between right and wrong." As an expression of both fact and opinion, that exactly squares with English views. Most of the English criticisms I have read or heard are, at any rate, equally severe. If at the same time they show a little more censoriousness, the temptation, it must be owned, is strong. And if they also show a tendency to wander off into general speculations on the "decline of the American character" or the "effects of materialism upon Americans," it has likewise to be admitted that they are able to buttress their case with an appalling list of American scandals taken from the records of the past three or four years.

With the moral side of the problem the English policy-holders confess themselves unable to deal. That can only be done by the Americans themselves and by the force of American opinion; and the task involves the creation of a new business "atmosphere." But it is felt very strongly over here that certain legislative and administrative reforms can be accomplished which would second the influence of public opinion. A good deal of criticism, for instance, has been aimed at the whole system of deferred dividends, at the vast accumulations it necessitates and at the temptations to which these huge surpluses expose the company officials who have the investing of them. Again, the English policy-holders are doing a good deal of growling over the extravagant salaries and commissions paid to officers and agents. No other insurance companies in the world allow their administrative expenses to bear anything like so high a ratio to their income as the American companies have been proved to do. It is suspected over here that their directors are obsessed with a mania for mere bigness and are inclined to stretch more than one point in order to get "new business." Much, too, as Englishmen admired Mr. McKinley and much as they admire Mr. Roosevelt, it gives them a curious sensation to learn that their premiums have been used to insure the election of any Presidential candidate. These are all points that are freely criticised; and the English insurance companies, who have felt severely the ravages of American competition, take care that the moral of them is well rubbed in.

But what has most surprised the English policy-holders in these colossal concerns is the light that has been thrown on the realities of State supervision. Practically every Englishman

who has been approached by an agent of an American insurance company and has been told by him that its workings were regulated or at any rate superintended by State officials, has assumed offhand that Federal and national control was what was meant. It is only now that he is beginning to realize the amazing legislative chaos in which the American companies are compelled to do business—the superintendents appointed by the State Governors for political reasons and without reference, presumably, to the degree of their acquaintance with insurance problems; the laws and regulations that vary with each State; the taxes imposed by State legislatures to the amount of $10,000,000 a year, taxes on thrift, as they appear to English eyes; the truth of Mr. McCall's assertion that three-fourths of the bills dealing with insurance that are introduced into the State legislatures are nothing more or less than blackmail bills; and the extraordinary opportunities for "graft" that such a system must present. This has been the greatest revelation of all—to learn that the much-trumpeted State supervision, so far from being a safeguard for the interests of the policy-holder, but too often works out in practice as a plot against those interests. That the companies should have found it necessary to employ agents and lobbyists for the special purpose of "squaring" predatory legislators strikes Englishmen, under all the circumstances, as somewhat more natural and inevitable than reprehensible. Directors who call in the aid of corruption to defeat injustice and to head off avowedly fictitious assaults upon the interests of their policy-holders, may successfully plead at the bar of English opinion that the system is to blame, rather than themselves.

As for the remedies to be applied, Englishmen, confronted with the intricate inadequacies of the American Constitution, hesitate to suggest any. But there cannot be much doubt of what the policy-holders in this country would like to see done. They would like to see the whole system of State supervision and State laws swept away and replaced by a single uniform law enforced by permanent Federal officials. Whether such a solution is possible under the American Constitution or not, they frankly do not know; but they are encouraged to believe that, although so simple and self-sufficient, it will not be frowned down upon by the Supreme Court; or that, at the very least, some form of Federal licenses and Federal supervision will be the issue of the

present complications. In other words English policy-holders look to Mr. Roosevelt to restore the moral credit of the American insurance companies, and to devise preventive measures that will make it impossible for such abuses to arise in the future as have been laid bare during the past few weeks. It is assumed very widely that he will find something in the task peculiarly appealing and congenial. Englishmen have more and more been working round to the conclusion that the basis of Mr. Roosevelt's whole economic policy is a moral basis; that he desires a revision of the Dingley rates less as an expert economist than because he feels that Protection is being twisted from a fiscal device into one of the props of the plutocracy, and therefore offends the doctrine of the "square deal"; that he advocates Federal regulation of railroad rates, not because they are too high, but because they are too high to one person and not high enough to another—in other words, because they discriminate unjustly; and that he proposes to bridle the Trusts, not so much on purely economic grounds as because he believes them to militate against his ideal of a fair chance for all. It is difficult for Englishmen to imagine Mr. Roosevelt as seriously wrapped up in the study of specific and *ad valorem* duties, or of the intricacies of transportation, or of the severely technical side of the Trust problem. On the other hand, it is very easy for them to imagine him profoundly stirred by the injustices and the oppression to which a one-sided competition almost inevitably gives rise. In their view, what Mr. Roosevelt aims at, above everything else, is the reformation of corporate morals, the raising of the standard of general commercial honesty.

I have ventured to go into this matter at some length, partly because it has powerfully engaged the thoughts of Englishmen, and partly in the hope of emphasizing the fact that it is not a purely American concern. There can be no use in disguising the conviction that some of the leading elements of American civilization are, as it were, on trial at this moment in the court not merely of English but of European opinion. The verdict of that court can hardly be other than unfavorable; but that the reproach of it will swiftly be wiped away nobody in this country who really knows America doubts for a moment. The process of living it down may be completed all the sooner if Americans realize, what undoubtedly is the fact, that every phase of it will be watched by Europe with a friendly, but somewhat anxious, solicitude.

ST. PETERSBURG, *October, 1905.*

EVERYBODY admits that political life in Russia has become a disease. What people differ about is the way of treating it successfully. Here the differences touch every extreme of sentiment as well as conviction. For, while the authorities are firmly convinced that the institution known as "the Imperial *Dooma,*" granted by the Tsar last August, will prove, so to say, a hospital for it, Liberals of the Zemstvo type fear and Radicals hope that the new representative assembly will be no more than a stage on the way to a real revolution. It cannot be gainsaid that the revolutionary theory is more favored by current events than the evolutionary one. The severe crisis through which the Russian people has been passing during the last two years called for swift, effectual measures, whereas the authorities acted slowly, inadequately and contradictorily. Soon after the war with Japan broke out, it became clear that the whole social and political framework of the Empire must be entirely remodelled and reformed if all the miseries which a national upheaval brings with it were to be averted.

But the Government was blind to the fiery finger on the wall. Harsh words and harsher measures were mechanically meted out to the patriotic men whose advice, if followed, would have saved the Autocracy: "rebels and traitors" were the names given them by the highest representatives of the Tsardom in the most solemn addresses to the people, and six months were let slip by before the Government made known its intention to launch out into the way of reforms. But during those six months the world was moving, and new events were almost weekly modifying the condition of things and rendering inadequate, and in some cases even pernicious, the measures which if realized in time would have been sufficient and remedial. This is no figure of speech. History teaches that, whenever an incipient revolution led to concessions which were insufficient as well as tardy, their only effect was to give a powerful fillip to the movement which they were intended to arrest. And the worst of all remedies are not those which fall short of efficiency, but those which come too late. Time which transforms all things, changing generous wine into sharp vinegar, has often turned balsam into vitriol which inflamed the wound it was meant to soothe. Thus, as has been aptly pointed out, the reform accorded by the English Parliament in 1832 fell un-

doubtedly far short of what the people desired or events called for; but, at all events, it was not too late and there was consequently no revolution. On the other hand, the French constitution of 1791 was in many respects more liberal or even more radical than that of 1848, but then it came too late, after the people had entered upon a course of violence from which they could not be turned back by anything written upon paper.

In Russia, examples of the uselessness of tardy concessions granted by the authorities are numerous and instructive. Thus, before the war began or even soon after it was declared, if Minister Plehve had been dismissed and his place given to Prince Mirsky, the class, then far from numerous, which was clamoring for reform would have been sufficiently satisfied to detach itself from the bulk of the nation, and, as a consequence, the revolution would have been certainly delayed and might perhaps have been wholly hindered. It is an undoubted fact that M. Witté undertook to get all the threads of the movement into his hands if he were invested with power to make concessions to the people; and he further promised to "feed the wolves, yet shield the sheep from harm"—in other words, to satisfy the reformers without sacrificing the autocratic principle. Now, even at that time, this was a very thorny problem, and many were convinced that he would assuredly fail—almost as many as felt that his expedition to Portsmouth in quest of peace was a wild-goose chase. However this might have been no one can now say with certitude; it is curious, however, to note that, all through that troublous period, M. Witté was an advocate of the Autocracy and a firm believer in the possibility of saving it for many years to come. He made the offer repeatedly and risked his reputation on the result. Fate, however, was either very kind to the ex-Minister or very cruel to his sovereign, for Witté's forecast of impending danger was almost openly ridiculed, and the offer of his services rejected as superfluous and even presumptuous.

Then came swift-footed Nemesis and a complete change in the condition of things. M. Witté, learning one morning from the newspapers that an Imperial ukase had roughly brushed away all hopes of reform, combined with the other Ministers to cause an Imperial rescript to be promulgated that very evening undoing what the ukase had done. A few days later he raised his voice in favor of the creation of a representative assembly, a

Dooma. One of his most venomous adversaries said, in presence of the Tsar: "Most of the partisans of a representative body fancy that it is compatible with autocracy, but you vote for it although you can hardly hold such a view." "Quite true," replied M. Witté; "for me absolutism and a representative chamber are indeed incompatible, but none the less I am in favor of the latter, because the former is doomed. *It is now* too late to save the Autocracy." That conversation was overheard by His Majesty, who has since then been well aware that M. Witté can no longer support the present régime in Russia.

All the measures of reform hitherto meted out by the Tsardom have thus come too late for the purpose for which they were granted. When a man like Count Witté says this, few will be inclined to dispute his word or question his judgment. But they are also inadequate and worse: they are so conflicting as to lend color to the charge of insincerity levelled against their authors by the Liberal press. From the standpoint of the Russian dynasty, what should have been aimed at was reforms sufficiently progressive to satisfy the principal and most influential group of agitators, yet not radical enough to endanger the Autocracy. M. Witté believed he could have devised such, if he had been invested with the necessary powers. To break up the cooperation among the revolutionary classes should have been the aim and object of the authorities, yet they compassed an end the very opposite to this. They bestowed upon the nation certain measures to which they gave the name of reform and imparted the character of coercion. A satire in legislation was the result. A satire which cuts physically as well as morally is not calculated to pacify. It would have been much better to refuse to take any notice of the reform movement, or else to repress it frankly, than to irritate its leaders and weld together its partisans.

The American public will best understand the fatal blunder committed by the Autocracy from a few concrete examples. The most terrible of all the evils which were gnawing at the very vitals of the Russian state was the utter contempt of law which had become universal. The Tsar, his Ministers, the Governors-General, the Governors, the chiefs of police and others could legislate for the people as they liked, while petty Jacks-in-office, receiving salaries of £150 a year, were able to drive a troika through almost any statute of the realm and promulgate tem-

porary orders which must be obeyed as laws. Consequently, nobody was ever sure of his liberty or his substance. And the most incorrigible offender in all this was the body known as the Committee of Ministers, which used to issue large numbers of laws on its own responsibility and without consulting the Imperial Council. The Tsar, resolving to put legality in the place of the arbitrary will of bureaucrats, issued a law for the purpose, and issued it in the very way complained of as irregular! Nor was this all. The very body charged by him with the framing of measures for the reestablishment of legality was the same Committee of Ministers which had all along been violating the law! In other words the people who took part in drawing up the principle of legality and those who were entrusted with the work of applying it, were the men who had been most conspicuous and most incorrigible in violating the law.

To drive out devils by Beelzebub is at best a hopeless procedure, yet something analogous to that is what took place when the Tsar resolved to inaugurate a reign of strict legality. The Committee of Ministers, which had so often legislated independently of the Imperial Council, laid it down that thenceforward bills must first pass through that Council before acquiring the force of law. And thereupon began a period of illegality for which in modern Russian history there is no parallel. Here are a few of the most important measures which irregularly received the force of law after this good resolution. On January 14th, 1905, a law was promulgated greatly changing the government of Moscow without the consent or knowledge of the Imperial Council. On January 24th, a law was framed and sanctioned changing the administration of the St. Petersburg Province and creating a Governor-Generalship. On March 12th, the special Conference to study the needs of agricultural industry was dissolved without the assent or knowledge of itself, its President, M. Witté, or the Imperial Council. On April 23rd, a law was passed in the same irregular way making all the peasants of disturbed districts liable to pay the damage done by lawbreakers in those districts. On May 16th, and June 4th, a new post of Director of the Police was created and the rights of the Viceroy of the Caucasus were extended, with no questioning of the Imperial Council. On June 3rd, the rights of the Assistant Minister of the Interior were made almost autocratic, by a law which, like all the foregoing,

was promulgated suddenly and arbitrarily. On May 19th, a most far-reaching measure was adopted in the same irregular manner: a Committee for the administration of agricultural affairs was created, whereby the Ministries of Agriculture and of Imperial Domains were considerably modified. On June 21st, rules and regulations were drafted and sanctioned for the Council of Imperial Defence and the War Ministry was transformed, without the knowledge of the Imperial Council.

That is a long list of deliberate illegalities, and yet it is far from being exhaustive. What it proves is that the Imperial ukases and ministerial orders mean little without concrete guarantees that the law will be respected by the administration, as well as obeyed by the people.

Another point in the ukase, a corollary of the fundamental principle, is the punishment of bureaucrats who violate the law. They are to be made responsible for all illegalities which they commit or connive at. But these are mere words without any corresponding deeds to follow; they may even embody good intentions, but they usher in no change. After as before, the rights not only of individuals, but of whole groups of the population, were violated with impunity. And it never can be otherwise so long as autocracy remains the form of Government. That fact became manifest within a month after the promulgation of the Imperial ukase. The misdeeds perpetrated on "Vladimir's Day" were never expiated: there was no guilty person, no responsible individual or corporation. And soon afterwards a number of similar bloodbaths was arranged throughout Russia, either by the police or with their assent, like the slaughter of Kishineff, Jitomir, Stavropol, Baku. There was no punishment for the offenders, and no redress or guarantees for the people. Again, during the recent peasant troubles the authorities applied corporal punishment openly which the Tsar had only just solemnly abolished amid the plaudits of the civilized world. But no penalty was inflicted therefor: on the contrary, one of the persons guilty—the most responsible of all—was promoted. These things shake the Russian's confidence in Imperial ukases.

The same Imperial ukase of Christmas Day ordered the revision of martial law, or that near approach to it known in Russia as "reinforced protection." In truth, it is the very essence of arbitrary caprice. It suspends all ordinary legislation and puts

the life, liberty and possessions of the subject in the hands of the bureaucracy. Moreover, it is very clumsy and nearly always unjust. For instance, in Russia, where capital punishment does not exist in common law, a man who wounds or beats any official in the discharge of his duty is liable to death by hanging, and, what is more, the court which summarily condemns him to die cannot modify the sentence, even if there be extenuating circumstances. The Committee of Ministers charged by the Emperor to study and report upon the advisability of repealing that exceptional legislation, gave it as their opinion that it does not attain the end in view, is very irksome to the population and is a constant source of abuses. From this authoritative opinion almost everybody drew the conclusion that it would be repealed at once. But nothing of the kind was even contemplated. His Majesty merely turned the matter over to a special Commission, which, having carefully examined the question anew, strongly recommended that martial law be discontinued. But this recommendation was likewise disregarded; and, although the Government now admits that "reinforced protection" is pernicious and has no redeeming feature, it refuses to repeal it. On the contrary this species of coercion has been extended very largely since the Tsar's ukase.

A Government which thus promises one thing in the most solemn way, and does the opposite with calm deliberation and resolute perseverance, has necessarily forfeited any claim it may ever have had to the confidence of the people. The law was never so frequently or so scoffingly trodden under foot as since the Tsar undertook to have it strictly observed throughout his dominions, nor have measures ever been so diametrically and uniformly opposed to promises. In the same spirit, the scheme for summoning a representative assembly to assist the Government was framed in secret by the men who a few days before had refused to allow a meeting of the provincial marshals of nobility and presidents of the provincial boards on the ground that it would constitute a grave danger to the State. When the project was made known by the "*Novosti*" newspaper, the authorities punished the editor and forbade all other press organs to reproduce it, thus making it clear that they had no confidence in the people or in the representative principle. But it is not of that mistrust, which may be groundless or well founded, that the

Russian people complain: they object to the profuse professions of confidence in the population which went before it, to the autocratic combination of guile and force.

At present the Russian people are preparing for the elections to the *Dooma,* and are supposed to enjoy, for the time being at least, freedom of the press, freedom of speech, freedom of public meeting. But, in reality, they are in some respects almost as much fettered as they were four years ago. Obnoxious Zemstvo men, for example, are dismissed from their offices summarily and mysteriously; meetings are forbidden, books suppressed, newspapers stopped, prominent Liberals arrested and imprisoned. Here are extracts from one of the press organs which offer a glimpse of the kind of preparations made for the coming elections: "The sittings of the Samara Economical Council of the District Zemstvo have been forbidden by order of the Governor." "The society for mutual help among the teachers of the Province of Voronesh has been dissolved by the Administration." "The projected meeting of the students of the Warsaw Polytechnical Institute, which the Director in the name of a group of the Professors requested the Government to authorize, has not been allowed." "The second volume of the works of Ferdinand Lassalle has been stopped by the censorship." "The members of the Engineers' League, who came together for the very purpose of assisting the Government by advice congruously with the express desire of the Tsar, are now being prosecuted by the Government. There are in all 4,000 persons." "Dr. Lurie of Mohileff has been ordered by the police to betake himself to the desolate wastes of the Province of Archangel, because he raised his voice in favor of the plundered Jews of Mohileff." "By command of Major-General Trepoff, MM. Shack and Zeitlin have been deported to Eastern Siberia for three years." Of indictments, trials, sentence—there is no word. In this way legality is being established!

And the Russian Magna Charta itself, if we may so term the curious document which creates the *Dooma*—framed by the well-known statesman, Pobiedonostseff—is full of tokens of a strong desire to seem rather than to be or do. Thus the assembly which is to represent Russia will in reality represent only the merest fraction of the population. The great bulk of the peasantry, all the urban proletariat and nearly all the less well-to-do population of cities, including the majority of the intelligent classes, will

be devoid of any share in the elections. They can be neither voters nor delegates. But, in truth, that is of little importance, seeing that the *Dooma* will have no legislative functions. If that institution meant no more than its authors intended it to mean, it would deserve to pass unnoticed. Its importance lies in the fact that it is the casting of the die, the breaking of the ice, the first step on the road to constitutionalism. First steps are always hesitating, the others are more resolute, more steady. Thus as yet there are no guarantees for liberty of the press or of public meeting. But what the Government has left untouched the *Dooma* itself will seek to accomplish, defining rights, advancing claims, clamoring for concessions. In a word, it will be what the Russian nation makes it,—a weapon of offence.

But even the Russian nation has no magician's wand wherewith to create or transform political institutions in the twinkling of an eye. From the clash of opinions, sentiments, interests, will come the motive power of the new régime. The struggle, however, is sure to be long, because autocracy and bureaucracy are resolved to die hard. And, over and above these elements, there is the all-important factor of the peasantry, which, crying out for land, is almost heedless of political rights. At any moment the Russian peasant may rise up in blind wrath and, like Samson, pull down the pillars of the edifice about the ears of himself and his persecutors.

For a moment, it was feared that the Russian Liberals would boycott the *Dooma*, and that the students would refuse to frequent their universities and high schools. And now it is generally supposed that there will be no organized abstention from the elections and no further strike in the highest educational establishments. But, in reality, people and students have merely changed their tactics. They both want a fulcrum and believe that they have found it, the one in the *Dooma*, the other in the Universities. Thus the students have announced their determination to call public meetings in the halls of the high schools, to discuss political subjects there and generally to treat their establishments as seminaries of the revolution; and the delegates or their constituents may be relied upon to treat the new representative assembly in an analogous manner.

The storm, then, is evidently brewing, and Witté is said to be the Æolus who alone can command the winds. Possibly. But

even he cannot accomplish the impossible, and his friends would be sorry to learn that he had consented to try. Down to the present moment, he has not undertaken to reconcile two contradictories; but any day may bring the news that he has agreed to stem the revolutionary movement as Minister of the Interior and Premier of the first Russian Cabinet; and this task is quite as difficult as the other. His own interests, as well as the interests of Russia, apparently require that he should retire from public life until he can work to some purpose. That time is not yet. To-day he could neither feed the wolves nor save the lambs. If he accept office at the present conjuncture, he will probably have sacrificed himself bootlessly and may have to go back into private life within a twelvemonth, this time for good and all. Patriotism, as well as enlightened ambition, should prompt him to bide his time and keep his powder dry.

MADRID, *October, 1905.*

THOUGHTFUL Spaniards will tell you that a change has come over their country with the close of last century, and that this change has been developing since the accession of their young King. The starting-point of this evolution in national life was the close of the short struggle with the United States and the loss of what remained of their colonial empire. That turning-point in the modern annals of Spain caused a deep impression in the minds, not only of the governing classes of the country, but of the hard-working middle classes and of the masses themselves. It was in some sort a stern submission to what fate had irremediably willed, and a determination to look upon the inevitable as a plausible opportunity for concentrating at home their energies and their resources of all kinds, both too long wasted in the useless struggle to retain their hold upon distant colonies in the New World and in the Far-Eastern archipelagoes. Almost immediately after conclusion of the peace treaty, first a few and then more and more Spaniards dared to speak out what at heart they felt, however sore and resentful—namely, that foreign and colonial foes had rendered Spain a service by ridding her of the colonies that hampered her revival in Europe and in fields of action and enterprise nearer home. This feeling spread widely among the masses and middle classes when they per-

ceived the first-fruits of the concentration of the resources and energies of the nation in Spain between 1899 and 1905. Much capital had flowed back from the former colonies, especially from Cuba and the Philippines, and promoted a rapid increase in enterprises of every kind—banks, financial establishments, mines, industries, syndicates, trusts, shipping—interests that, developing, perhaps, too rapidly, were led to overproduction, and thus gave rise to local crises at Bilbao, Barcelona, Santander, Cadiz, Malaga. The rebound of the last year of the nineteenth century and of the first few years of the twentieth was a consequence also of the recovery of Spanish credit, effected by a vigorous reorganization of Spanish finance and budgets by the late Señor Villaverde, and by the gallant resolution with which Governments and Parliaments, backed by the press and public opinion, undertook to honor both the domestic engagements of Spain herself, and the engagements that resulted from saddling her treasury and budget with the debts of Cuba and the Philippines, and with the cost of the last and of previous civil wars in the lost colonies. The restoration of Spain's credit abroad and at home, the successful levelling of her budgets with a surplus revenue annually of several millions of dollars since 1900, dispelled the fears of her native capitalists; and they too, large and small, came forward to invest in mines, banks, companies and railways, until the common rate of interest of the state debts fell from over five per cent. to barely four, with a corresponding decline in the rate of capitalization of all Spanish securities in Paris, Brussels, Berlin, Madrid, Barcelona and Bilbao.

It is interesting for Americans to notice that one of the features of the change coming over the Spanish people is their dignified and manful silence about their grievances in the near past against the United States and against their colonies. It is a rare occurrence nowadays to read any rancorous allusion in their press to what their country has suffered at the hands of the Anglo-Saxon Republic, and quite as rare to hear the United States, or even Cuba, reviled in the papers or in private conversation. Indeed it is remarkable how impartially and kindly they have discussed and commented upon the policy of President Roosevelt, and how much they have praised his efforts to further peace between Russia and Japan. In the same way, American citizens residing in the kingdom, or passing through it for travel

and study, have met with a courtesy, a hearty welcome, very seldom marred by suppressed animosity. No educated Spaniard, and not even humbler subjects of his Catholic Majesty, would have the stranger, the foreigner, believe for one moment that they could bemean themselves by departing from their national traditions of hospitality and chivalrous politeness. The same treatment in this respect has been dealt to Americans of all ranks, and particularly to scientists, professors, students, even to business men, much as foreign competition is dreaded by Spanish industries. The official representatives of the United States have fared equally well, after perhaps some distant courtesy, some coldness and slight boycotting at first, in social circles alone, and not in the official world or at Court and in Court circles. Few representatives of European Powers were more kindly welcomed by Madrid society than the last American Minister, Mr. Hardy, whose hospitable Legation was for several years quite a *rendezvous* of the nobility, the gentry, the political and literary world. He always found successive Spanish Governments disposed to treat the United States, and American interests in general, as fairly as any great European Power. There is every reason to suppose that his recently appointed successor, Mr. Collier, will find as little difficulty as Mr. Hardy in consolidating the existing cordial relations between Spain and the United States.

Many Spaniards have advocated, as the best means of developing the relations between the States and Spain, an understanding or a treaty of reciprocity to increase commercial relations, which have certainly advanced in a remarkable way even without any treaty of commerce. Their contention is that, as the United States already ranks third, being second only to England and France, and far ahead of Germany, Italy, Belgium and Portugal, which come next, in the imports of the kingdom, the State Departments of Washington and Madrid might concert some arrangements to enable American trade to compete still more effectively with the four last-mentioned nations, and even with England and France. These two countries are in possession of nearly three-fifths of the entire import trade, and of nearly half the export trade, of the Peninsula. The United States stands third in the imports of Spain, with $23,700,000 according to Spanish statistics, but the United States has only a little more than $5,000,000 of Spanish exports. In this difference between

the American exports and imports in Spain lies the chief stimulus, on the Spanish side, for entering if possible into negotiations on the basis of reciprocal concessions. Their idea is that, as the American imports in the peninsula consist mostly of the raw materials for Spanish industries, cotton alone having averaged as high as $18,000,000 out of the total, something could decidedly be done to open the Spanish markets to American manufactured goods and breadstuffs. Concessions might be obtained, if not to enable the American products to be on an equal footing with Spanish industries and agriculture, at least to improve their prospects in competition with the manufactured goods of European nations and with the agricultural products of nations like Russia, Rumania and Turkey, that have so largely contributed in the last decade to make up the deficiencies of Spanish crops. The people and Government of Spain being so evidently willing to meet the United States half-way in any endeavor to promote more extensive commercial relations, it is only natural that they should evince a desire to improve their own exports to the American Republic. They are so well aware that the industries of their country, badly equipped and backward in methods and quality of production, could not for a long time dream of competing with American industries, that it is not in that direction that their demands for concessions would go. They are ambitious of developing the exports of the natural products of their soil, fruit of every kind and especially their wines, and their minerals. Already, in the comparatively small figures of the Spanish exports to the United States, the products of their agriculture, barring breadstuffs, rank first; but they lament the insignificant proportion of their exports of wines to a country where they, rightly or wrongly, imagine they could find by degrees an outlet for the products of their vineyards,which very much exceed the necessities of the home consumption. They aspire to markets, not only in the United States, but also in the Spanish-American republics, for their cheap wines that are at present sent abroad to the value of $10,000,000; whereas, fifteen years ago, before the régime of treaties of commerce and free trade was replaced by reciprocal high protectionist tariffs, Spanish wines used to be exported annually to the value of more than $75,000,000. In those days, France imported from fifty to sixty million dollars of common Spanish wines, to make up the deficiencies of her own vintages and to

fortify her own clarets, as the Spanish natural wines had a higher alcoholic strength than the French. Spaniards wish to find markets in America for their minerals, as they believe that, if such exports could be increased, the vast mineral wealth, lying waste owing to lack of native capital to work thousands of mines still untouched and owing to lack of proper roads and railways, might be utilized. It will suffice to point out that only 1,868 mines are worked out of 25,000 known to exist and enrolled on the State registers of mining property. The subsoil of the Peninsula is immensely rich in copper, coal, iron, lead, quicksilver and many other minerals. Foreigners, especially English, Belgians, French and Germans, are profitably working mines in several provinces near the coasts, Biscay, Santander, Huelva, Guipuzcoa, Almeria, Cartagena, where the foreign companies themselves have had, in no few instances, to imitate the native and construct their own narrow-gauge railways.

Among the favorable conditions of the situation that might lead up to an understanding between the Madrid and Washington Governments to improve the commercial relations between the two countries, is the fact that the Liberal Party was called to the councils of the Monarchy in June last, and, having secured a majority in the general elections in September, it will undertake this winter the long-announced revision of the tariff. This revision had been mooted and prepared by the Conservative predecessors of the present Liberal Government. A series of suggestions, rather than absolute rules, for carrying out the revision of the tariff of 1892 has been drawn up by an official Junta, chiefly composed of well-known protectionists and of a very few moderate free-traders, presided over by Señor Urzaiz, an ex-Finance Minister of the Liberal Party. The suggestions of this Junta had been embodied in a project of revision by the late Conservative Minister of Finance, who was to have submitted it to the Cortes, when the Conservative Cabinet resigned in June and the Liberals came in and dropped the Conservative tariff revision plan. It stands to reason that, in the present state of opinion in Spain on economical and commercial questions, a tariff revision carried out under a Conservative and consequently ultraprotectionist Cabinet would have produced a tariff more protectionist than that of 1892, which is about to be reformed. Fortunately, however, the suggestions of the permanent Junta of tariff revision are such elastic

formulas that a Liberal Government, though by no means completely free from protectionist influences, can shape the revision so as to make possible a policy compatible with a régime of treaties of commerce. Such is said to be the intention of the present Prime Minister, Don Eugenio Montero Rios, and of his Finance Minister, Don José Echegaray. During the summer, Montero Rios has assured the representatives of several foreign Powers that he proposes to make treaties of commerce with every country willing to respond to the advances the Spanish Government hopes to be able to make on the lines of reciprocal concessions, like those that some European Governments have made the basis of their recent commercial treaties. He added that he would first have to ask the Cortes for an authorization to carry out the contemplated tariff revision, and that, as soon as the work of revision was over and the new tariff completed, he would be able to approach foreign Governments with a definitive basis for negotiations. These preliminaries would take up three or four months, but he expected to be ready for negotiations before March, 1906; and, in the mean while, there was nothing to prevent an exchange of views on the subject between Spain and other countries. He at the same time last summer allowed it to be known that the Liberal Government did not intend to be either absolutely protectionist or free-trader, but opportunist in tariff and treaty questions, his aim being to conciliate all interests—industries, agriculture and commerce. Afterwards, when the protectionists sent up a very influential deputation from Bilbao and Barcelona to deprecate any departure from the protectionist policy of the last fourteen years, he cleverly replied that the Government would certainly do its best to protect national products of every kind, and at the same time attend to the fostering of all other equally national interests. Everything tends to prove that Spain under a Liberal Government is about to enter upon a new stage of her commercial relations with other countries. It seems really a pity that such an opportunity should be wasted by the State Department at Washington. Besides commercial considerations, it is to be observed that Spaniards point out that their desired extension of commercial intercourse between the two nations is sure to improve political relations, and certain to contribute to the visible subsidence of ill feeling and rancor against America in the hearts of the majority of the people of Spain.

WASHINGTON, *October, 1905.*

OUTSIDE of President Roosevelt's tour in a number of the Southern States, which, since it began, has absorbed to a large extent public attention, the most interesting topics of discussion in the Federal capital during the last thirty days have been the change in the position taken by the Administration toward Venezuela, and Secretary Taft's announcement that, without waiting for the official report of the recent visit of inspection made to the Isthmus by the Canal Commission and consulting engineers, he should himself proceed forthwith to Colon in order to ascertain at first hand, and be able to tell Congress, just what there is to show for nearly ten million dollars that have been spent since our acquisition of the canal strip. As for the outcome of Judge Taft's personal investigation, there will be time enough for discussing it after it is officially set forth. Meanwhile, we content ourselves with saying that the Secretary will exhibit more than his usual ingenuity if he is able to discover an equivalent for the lavish disbursements made by the Canal Commission in the brief interval between the conveyance to us of the canal zone and the determination of the fundamental question whether we desire to build a sea-level canal or a canal with locks. That primary question is yet undecided, yet almost ten million dollars are gone. There is a strong and growing impression that the reconstructed Commission had better hurry up and define what kind of a canal they want to build, before calling on the Executive for an issue of bonds, or asking Congress for an additional appropriation.

As for the entanglements of the United States and France with Venezuela, these have been to a large extent unravelled by the discovery that the New York and Bermudez Asphalt Company committed an act of incontrovertible treason against the Castro Administration, by contributing $100,000 to the cause of the revolutionists headed by General Matos. It was largely on the score of this act of treason that the company was adjudged by the highest Venezuela tribunal to have forfeited its franchise and other property. Our State Department, so long as it was practically guided by ex-Assistant Secretary Loomis, saw fit to pronounce *ex parte* the American company guiltless of the offence imputed to it, and demanded by a species of ultimatum that the Caracas Government should stultify itself by virtually declaring its highest Court unworthy of trust, through the submission of

a question involving an infringement of municipal law, and already adjudicated by that tribunal, to arbitration. What would have been thought of the United States in Europe and Latin America, had we used our navy to extort compliance with this demand, and subsequently it had been proven that the American company had really committed the treason charged? That such proof would have been forthcoming we now know, for it has been furnished under oath by General Greene and General Andrews, both of whom have been Presidents of the New York and Bermudez Asphalt Company. It is a great pity that this testimony could not have been spread upon the record before our State Department was entrapped into an act of folly.

Up to the point which the President has now reached in his tour through the South—at the hour when we write, he has traversed Virginia, North Carolina, Georgia and Florida, and has made a number of speeches—he has been received with an enthusiasm which he scarcely can have expected, and has made a notable advance toward the accomplishment of his purpose, which was to assure to his policies and projects the support of the Southern people and of its representatives in both Houses of Congress. He had that support last year for his political rate-making project in the House of Representatives, and, if he can now obtain it in the Senate, it should probably avail, when we consider how considerable a personal following he possesses among Republican Senators, to secure for him ascendancy in the Upper Chamber also. This, undoubtedly, is the motive of Mr. Roosevelt's present visit to the South. He wants to be President, not of a section, but of the whole Republic, and to acquire an influence such as has never been possessed by a Federal Executive since the beginning of Monroe's second administration. That he is in a fair way to acquire it will seem a fair deduction from certain salient facts.

In Richmond, which he reached at noon on October 18th, and where he remained some seven hours, he got a welcome which could scarcely have been more demonstrative and ardent, had he been an illustrious son of the Old Dominion. All the banks, factories, shops and schools were closed, and 15,000 children joined in the greeting to the President. The speech which he read in Capitol Square called forth acclamations, and the remarks which he made at the luncheon given in his honor by the City of Rich-

mond were repeatedly interrupted by applause, the most striking outburst occurring when, mindful of the fact that he is a Georgian on the mother's side, the President declared with earnestness that the men of Virginia had no more claim to kinship of feeling with Robert E. Lee and Stonewall Jackson than he himself had. Directing attention to the unique good fortune of the United States, Mr. Roosevelt pointed out that, whereas every other great war of modern times had left behind deep-rooted feeling of rancor to keep asunder the combatants, our Civil War had left to the sons and daughters of the men who fought, on whichever side they fought, the same right to feel the keenest pride in the great deeds alike of the men who fought on one side and of the men who fought on the other. He reminded his auditors how, in their own State, around Richmond, stretched battle-field after battle-field, rendered forever memorable by the men who counted death as but a little thing when weighed in the balance against doing their duty as it was given to them to see it. Mr. Roosevelt went on to say that, however great may be the meed of praise which is due the South for the soldierly valor displayed by her sons during the four years of war, even greater praise was due to her for what her people have accomplished in the ensuing forty years of peace. Only a heroic people could have battled triumphantly against the catastrophic conditions with which the people of the South found themselves confronted at the end of the Civil War. For forty years the South has made not merely a courageous, but at times a desperate, struggle for moral and material well-being. Extraordinary has been her success, and the President declared that all citizens of our common country should feel joy and pride in it; for any great deed done or any fine quality exhibited by one group of Americans must, of necessity, reflect credit upon all Americans. The effect produced on the general feeling of a conservative Southern community by Mr. Roosevelt's visit to the capital of the defunct Confederacy, seems to have been summed up by an old citizen of Richmond, when he said that, while he and his neighbors had not liked the idea of the President dining with Booker Washington, they were disposed to forget that incident in the light of his great achievements. Since that time, he said, the people of Richmond had come to look upon their present President as one of the greatest of all Americans; in other words, they had come to rank him

with Washington and Jefferson, which for Virginians is saying a great deal.

In North Carolina, where October 19th was spent, the President visited seven towns, and made a somewhat prolonged sojourn at Raleigh, the State capital, where he made a second weighty address. After pointing out the high and honorable part which North Carolina had played in American history, he congratulated his hearers on the great industrial activity now shown in their commonwealth, an activity which, as many of our readers will doubtless be surprised to hear, has placed North Carolina second only to one other State in the number of its textile factories. He went on to felicitate his auditors on their recognition of the truth that material well-being, though indispensable as a foundation, can be at best only the groundwork upon which must be raised by education the superstructure of a higher life if a Commonwealth is to stand. He was rejoiced, he said, to note the increasing care and attention applied to public instruction in North Carolina, which, evidently, was alive to the fact that education means the promotion, not only of productive industry, but of the good citizenship which rests on individual rights, and upon the thorough comprehension by each individual that he has not only rights but duties.

A notable incident occurred subsequently at Durham, the home of Trinity College, the trustees of which, it may be remembered, not long ago upheld Professor John Spencer Bassett against United States Senator Simmons, who tried to have him expelled for asserting in a magazine article that Booker Washington was the greatest man, except Robert E. Lee, born in the South for a hundred years. After reading with a significant emphasis the clause from the Trinity College constitution which pledges the institution to inculcate a sincere spirit of tolerance, freedom from partisan and sectional strife, Mr. Roosevelt declared that he knew of no other college in the United States which had so nobly set forth as the object of its being the principles to which every seat of learning ought to be devoted. You stand, he told its trustees, professors and alumni, for academic freedom, for the right of private judgment, for the duty more incumbent upon the scholar than upon any other man, to tell the truth as he sees it; to claim for himself and to give to others the largest liberty in seeking the truth. Before he left the old North State, it became unmis-

takable that the President had made as profound an impression there as he had made upon Virginia. The Raleigh people declared that no crowd so large as that which there welcomed Mr. Roosevelt had ever been assembled anywhere in the commonwealth on any other occasion. A leading Democratic State official said: "We forgive President Roosevelt for all but one thing—you know what that is—and we will do our best to forget that. He has done greater things than any except two or three of our Presidents."

At Roswell, Georgia, where his mother, Martha Bullock, was born and passed her girlhood, Mr. Roosevelt spent the morning of October 20th, and reiterated what he has often said, that it is his very great good fortune to have the right to claim that his blood is half Southern and half Northern. He recalled that his mother's two brothers had entered the Confederate navy, one of whom, the youngest officer aboard, fired the last shots from the "Alabama," when that cruiser was sunk by the "Kearsarge," while his elder brother, James Dunwoodie Bullock, rose to be an admiral, and, in the President's opinion, came nearer than any other man to embodying in his personal character Thackeray's beautiful conception of Colonel Newcome.

Later in the day at Atlanta, in the Fair-grounds, where, it is computed, some thirty thousand people were assembled, the President made a long speech, in the course of which several important topics were considered, to which we may invite attention on another occasion. We will merely mention here that, after he had set forth his views concerning corporations, emphasizing his belief in the necessity of controlling them, while, at the same time, recognizing the duty of giving wide scope to their activities, and after he had told his auditors not to accuse people of fraud hastily or without good cause, but to smite with the sword of Gideon those found guilty of corruption in public and private life, the outburst of prolonged cheers that followed was punctuated with a shout declaring, "We want you for another term!" The President shook his head decisively. We have never doubted the sincerity of his expressed intention to leave the White House, for a term at all events, after March 4, 1909. Suppose, however, the Democracy of the South should join with the Republican party of the North in insisting upon keeping him in office. Would consistency compel him still to adhere to a refusal?

CONTRIBUTORS TO THIS NUMBER.

LIEUT.-GENERAL VON ALTEN
comes of a family which belongs to the oldest branch of the nobility of Lower Saxony and has furnished to the German army a large number of officers of high rank. He was commissioned Lieutenant in the Prussian army in 1863, and fought in the campaigns of 1866 and 1870. In the latter he was severely wounded, and the Emperor (William I) conferred on him the first Iron Cross for distinguished bravery. As Major, he was employed by Field-Marshal von Moltke and Count Waldersee partly in the Great General Staff and partly at the headquarters of the *Garde du Corps,* acting meanwhile for a time as lecturer on tactics at the Kriegs-academie. Later, he was appointed Commander of the Fusilier Battalion of the Second Regiment of the Guard, and subsequently Chief of the General Staff of the Brandenburg Army Corps. As Colonel, he commanded the famous Colberg Grenadier Regiment, and as General he served under Count Haeseler in Lorraine at the head of a brigade. After acting as Chief Quartermaster on the Great General Staff, he was promoted to be Lieutenant-General and took command of the Second Division on the Russian frontier. He was retired at his own request in 1901, and since then he has devoted himself to literary and technical work.

ISIDORE SINGER
was born in Weisskirchen, Moravia, in 1859; he was educated in the high schools of Ungarisch-Hradisch, Kremsier and Troppau, and at the Universities of Vienna and Berlin. In 1884, he founded the "*Allgemeine Oesterreichische Literaturzeitung,*" which he edited and published in Vienna, discontinuing it on receiving the appointment of secretary and librarian to Count Alexandre Foucher de Careil, French

ambassador at Vienna. He accompanied the ambassador to Paris and became attached to the press bureau of the French Foreign Office—a position similar to that which Heinrich Heine occupied, half a century before him, in the same department. In 1891, he went to Italy and sojourned for a time in Rome. Returning to Paris, he founded "*La Vraie Parole*" to counteract Edouard Drumont's anti-Semitic journal "*La Libre Parole.*" In 1895, he came to New York for the purpose of publishing "The Jewish Encyclopedia," the twelfth and final volume of which will appear in a few weeks. He has published a large number of books, relating mainly to the history and status of the Jews.

ALICE MEYNELL,

poet and essayist, was educated by her father, the late T. J. Thompson, who, having completed his own education at Cambridge, married early and devoted himself to his two daughters, of whom the elder is Lady Butler, the battle-painter. She spent much of her early life in Italy. Her writings have been voluminous, her published works including "The Rhythm of Life," "The Color of Life," "The Children," "The Flower of the Mind: a general Anthology of English Poetry," "The Spirit of Peace," "John Ruskin," and "Children of the Italian Masters."

ALBERT S. BOLLES

is a native of Montville, Connecticut, where he was born in March, 1846. He studied law, and, having been duly admitted to the bar, he was elected judge of the probate court for the district of Norwich in his native State in 1870. Leaving the law for journalism, he edited the "Norwich Bulletin" and, later, the "Banker's Bulletin." For over four years he was Professor of Mercantile Law and Banking in the Wharton School of Finance and Economy in the University of Pennsylvania; and for eight years thereafter he was Chief of the Bureau of Industrial Statistics of the State of Pennsylvania. At present he is connected with Haverford College as Lecturer on Commercial Law and Banking. Among the books published by him may be mentioned an "Industrial History of the United States," "The Conflict between Labor and Capital" and "The History of Pennsylvania."

Rush C. Hawkins

is a native of Vermont. He studied, but never practised, law. He served in the Union army throughout the Civil War, in command of the Ninth New York Volunteers, his regiment being known as "Hawkins' Zouaves," and was brevetted Brigadier-General. In 1872, he was a member of the New York Legislature, and Art Commissioner to the Paris Exposition in 1889. He is an officer of the Legion of Honor of France, and is a noted collector of books, especially of books relating to the early history of printing and wood-engraving. He is the author of several volumes and pamphlets, and has long been a contributor to the magazines.

Theodore Morison

was educated at Cambridge. He went to India in 1886 to take up the position of tutor to two young chiefs in Bundelkhand, a portion of India which is divided among native States and still retains a quasi-feudal organization. He was elected to the staff of the Mohammedan Anglo-Oriental College at Aligarh, an institution which was founded by a small band of Mohammedan reformers to provide an education for Mohammedans and spread English ideas among the Mohammedan community. In 1899, Mr. Morison was elected Principal of the College, and in 1903 he was appointed an Additional Member of the Viceroy's Council to assist in framing the Universities Act of 1904. On the eve of his departure from India, he was nominated President of the Mohammedan Educational Conference in recognition of his services to the Mohammedan community of India, and last spring he resigned from the Aligarh College and returned to England.

Frank A. Vanderlip

was educated in the public schools, in the University of Illinois and in the University of Chicago. He entered the profession of journalism as a reporter on the "Chicago Tribune," of which, later, he became the financial editor. In 1894, he became part-owner of the "Chicago Economist," a weekly financial journal, and served as associate editor of that publication until 1897. On March 4th of the latter year, he was appointed private secretary to the Hon. Lyman

Gage, Secretary of the Treasury, and in the following June he was made Assistant-Secretary of the Treasury. In 1901, he resigned to become Vice-President of the National City Bank in New York. In 1902, he was a delegate to the International Conference of Commerce and Industry which was held at Ostend, Belgium. He is the author of a work on "The American Commercial Invasion of Europe."

SENATOR F. G. NEWLANDS,

of Nevada, was born in Mississippi. After a course at Yale, he studied at the Columbian Law School and was in due course admitted to the bar of the District of Columbia. He went to San Francisco and practised law there until 1886, when he became a trustee of the estate of William Sharon, formerly United States Senator from Nevada. He has been active as an advocate of the free coinage of silver, and has taken a lively interest in the development of irrigation and other matters of Western interest. In 1893, he was elected a member of the House of Representatives, and retained his seat until 1903, when he entered the United States Senate.

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NEW YORK AND THE HUDSON: A SPRING IMPRESSION.

BY HENRY JAMES.

I.

It was a concomitant, always, of the down-town hour that it could be felt as *most* playing into the surrendered consciousness and making the sharpest impression; yet, since the up-town hour was apt, in its turn, to claim the same distinction, I could only let each of them take its way with me as it would. The oddity was that they seemed not at all to speak of different things—by so quick a process does any one aspect, in the United States, in general, I was to note, connect itself with the rest; so little does any link in the huge looseness of New York, in especial, appear to come as whole, or as final, out of the fusion. The fusion, as of elements in solution in a vast hot pot, is always going on, and one stage of the process is as typical or as vivid as another. Whatever I might be looking at, or be struck with, the object or the phase was an item in the pressing conditions of the place, and as such had more in common with its sister-items than it had in difference from them. It mattered little, moreover, whether this might be a proof that New York, among cities, most deeply languishes and palpitates, or vibrates and flourishes (whichever way one may put it), under the breath of her conditions, or

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whether, simply, this habit of finding a little of *all* my impressions reflected in any one of them testified to the enjoyment of a real relation with the subject. I like, indeed, to think of my relation to New York as, in that manner, almost inexpressibly intimate, and as hence making, for daily sensation, a keyboard as continuous, and as free from hard transitions, as if swept by the fingers of a master-pianist. You cannot, surely, say more for your sense of the underlying unity of an occasion than that the taste of each dish in the banquet recalls the taste of most of the others; which is what I mean by the "continuity," not to say the affinity, on the island of Manhattan, between the fish and the sweets, between the soup and the game. The whole feast affects one as eaten—that is the point—with the general queer sauce of New York; a preparation as freely diffused somehow, on the East side as on the West, in the quarter of Grand Street as in the quarter of Murray Hill. No fact, I hasten to add, would appear to make the place more amenable to delineations that desire to be spoken of as hanging together.

I must confess, notwithstanding, to not being quite ready to point directly to the common element in the dense Italian neighborhoods of the lower East side and in the upper reaches of Fifth and Madison Avenues; though, indeed, I wonder at this inability in recollecting two or three of those charming afternoons of early summer, in Central Park, which showed the fruit of the foreign tree as shaken down there with a force that smothered everything else. The long residential vistas I have named were within a quarter of an hour's walk, but the alien was as truly in possession, under the high "aristocratic" nose, as if he had had but three steps to come. If it be asked why, the alien still striking you so as an alien, the singleness of impression, throughout the place, should still be so marked, the answer, close at hand, would seem to be that the alien himself fairly *makes* the singleness of impression. Is not the universal sauce essentially *his* sauce, and do we not feel ourselves feeding half the time from the ladle, as greasy as he chooses to leave it for us, that he holds out? Such questions were in my ears, at all events, with the cheerful hum of that Babel of tongues established in the vernal Park, and they supplied, beyond doubt, the livelier interest of any hour of contemplation there. I hate to drift into dealing with them at the expense of a proper tribute, kept distinct and

vivid, to the charming bosky precinct itself, the great field of recreation in which they swarmed; but it could not be the fault of the brooding visitor, and still less that of the restored absentee, if he was conscious of the need of mental adjustment to phenomena absolutely fresh. He could remember still how, months before, a day or two after his restoration, a noted element of one of his first impressions had been this particular revealed anomaly. He had been, on the Jersey shore, walking with a couple of friends through the grounds of a large, new rural residence, where groups of diggers and ditchers were working, on those lines of breathless haste which seem always, in the United States, of the essence of any question, toward an expensive effect of landscape-gardening. To pause before them, for interest in their labor, was, and would have been everywhere, instinctive; but what came home to me on the spot was that whatever *more* would have been anywhere else involved had here inevitably to lapse.

What lapsed, on the spot, was the element of communication with the workers, as I may call it for want of a better name; that element which, in a European country, would have operated, from side to side, as the play of mutual recognition, founded on old familiarities and heredities, and involving, for the moment, some impalpable exchange. The men, in the case I speak of, were Italians, of superlatively southern type, and impalpable exchange struck me as absent from *their* horizon to positive intensity, to mere unthinkability. It was as if contact were out of the question and the sterility of the passage between us recorded, with due dryness, in our staring silence. This impression was for one of the party a shock—a member of the party for whom, on the other side of the world, the imagination of the main furniture, as it might be called, of any rural excursion, of *the* rural in particular, had been, during years, the easy sense, for the excursionist, of a social relation with any encountered type, from whichever end of the scale proceeding. Had that not ever been, exactly, a part of the vague warmth, the intrinsic color, of any honest man's rural walk in his England or his Italy, his Germany or his France, and was not the effect of its so suddenly dropping out, in the land of universal brotherhood—for I was to find it drop out again and again—rather a chill, straightway, for the heart, and rather a puzzle, not less, for the head?

Shortly after the spring of this question was first touched for me I found it ring out again with a sharper stroke. Happening to have lost my way, during a long ramble among the New Hampshire hills, I appealed for information, at a parting of the roads, to a young man whom, at the moment of my need, I happily saw emerge from a neighboring wood. But his stare was blank, in answer to my inquiry; and, seeing that he failed to understand me, and that he had a dark-eyed "Latin" look, I jumped to the inference of his being a French Canadian. My repetition of my query in French, however, forwarded the case as little, and my trying him with Italian had no better effect. "What *are* you then?" I wonderingly asked—on which my accent loosened in him the faculty of speech. "I'm an Armenian," he replied, as if it were the most natural thing in the world for a wage-earning youth in the heart of New England to be—so that all I could do was to try and make my profit of the lesson. I could have made it better, for the occasion, if, even on the Armenian basis, he had appeared to expect brotherhood; but this had been as little his seeming as it had been that of the diggers by the Jersey shore.

To inquire of these things, on the spot, to betray, that is, one's sense of the "chill" of which I have spoken, is of course to hear it admitted, promptly enough, that there is no claim to brotherhood with aliens in the first grossness of their alienism. The material of which they consist is being dressed and prepared, at this stage, for brotherhood, and the consummation, in respect to many of them, will not be, cannot from the nature of the case be, in any lifetime of their own. Their children are another matter —as in fact the children, throughout the United States, are an immense matter, are almost the greatest matter of all; it is the younger generation who will fully profit, rise to the occasion and enter into the privilege. The machinery is colossal—nothing is more characteristic of the country than the development of this machinery, in the form of the political and social habit, the common school and the newspaper; so that there are always millions of little transformed strangers growing up in regard to whom the idea of intimacy of relation may be as freely cherished as you like. *They* are the stuff of whom brothers and sisters are made, and the making proceeds on a scale that really need leave nothing to desire. All this you take in, with a wondering mind,

and in the light of it the great "ethnic" question rises before you on a corresponding scale and with a corresponding majesty. Once it has set your observation, to say nothing of your imagination, working, it becomes for you, as you go and come, the wonderment to which everything ministers, and that is quickened well-nigh to madness, in some places and on some occasions, by every face and every accent that meet your eyes and ears. The sense of the elements in the caldron—the caldron of the "American" character—becomes thus about as vivid a thing as you can at all quietly manage, and the question settles into a form which makes the intelligible answer further and further recede. "What meaning, in the presence of such impressions, can continue to attach to such a term as the 'American' character?—what type, as the result of such a prodigious amalgam, such a hotchpotch of racial ingredients, is to be conceived as shaping itself?" The challenge to speculation, fed thus by a thousand sources, is so intense as to be, as I say, irritating; but practically, beyond doubt, I should also say, you take refuge from it—since your case would otherwise be hard; and you find your relief not in the least in any direct satisfaction or solution, but absolutely in that blest general drop of the immediate need of conclusions, or rather in that blest general feeling for the impossibility of them, to which the philosophy of any really fine observation of the American spectacle must reduce itself, and the large intellectual, quite even the large æsthetic, margin supplied by which accompanies the spectator as his one positively complete comfort.

It is more than a comfort to him, truly, in all the conditions, this accepted vision of the too-defiant scale of numerosity and quantity—the effect of which is so to multiply the possibilities, so to open, by the million, contingent doors and windows; he rests in it, at last, as an absolute luxury, converting it even into a substitute, into *the* constant substitute, for many luxuries that are absent. He doesn't *know,* he can't *say,* before the facts, and he doesn't even want to know or to say; the facts themselves loom, before the understanding, in too large a mass for a mere mouthful: it is as if the syllables were too numerous to make a legible word. The *il*legible word, accordingly, the great inscrutable answer to questions, hangs in the vast American sky, to his imagination, as something fantastic and *abracadabrant,* belonging to no known language, and it is under this convenient ensign

that he travels and considers and contemplates and, to the best of his ability, enjoys. The interesting point, in the connection, is moreover that this particular effect of the scale of things is the only effect that, throughout the land, is not directly adverse to joy. Extent and reduplication, the multiplication of common, cognate items and the continuity of motion, are elements that count, there, in general, for fatigue and satiety, prompting the earnest observer, overburdened perhaps already a little by his earnestness, to the reflection that the country is too large for any human convenience; that it can scarce, in the scheme of Providence, have been meant to be dealt with as we are trying, perhaps all in vain, to deal with it; and that its very possibilities of population themselves cause one to wince in the light of the question of intercourse and contact. That relation to its superficies and content—the relation of flat fatigue—is, with the traveller, a constant quantity; so that he feels himself justified of the inward, the philosophic, escape into the convenient immensity. And as it is the restored absentee, with his acquired habit of nearer limits and shorter journeys and more muffled concussions, who is doubtless most subject to flat fatigue, so it is this same personage who most avails himself of the liberty of waiting to see. It is an advantage—acting often in the way of compensation, or of an appeal from the immediate—that he becomes, early in his period of inquiry, conscious of intimately requiring, in whatever apparent inconsistency it may lodge him. There is too much of the whole thing, he sighs, for the personal relation with it; and yet he would desire no inch less for the relation that he describes to himself best perhaps either as the provisionally-imaginative or as the distantly-respectful. Diminution of quantity, even by that inch, might mark the difference of his having to begin to recognize from afar, as through a rift in the obscurity, the gleam of some propriety of opinion. What would a man make, many things still being as they are, he finds himself asking, of a *small* America?—and what may a big one, on the other hand, still not make of itself? Goodness be thanked, accordingly, for the bigness. The state of flat fatigue, obviously, is not an opinion, save in the sense attributed to the slumber of the gentleman of the anecdote who had lost consciousness during the reading of the play—it belongs to the order of mere sensation and impression.

II.

The process of the mitigation and, still more, of the conversion of the alien goes on, meanwhile, obviously, not by leaps and bounds or any form of easy magic, but under its own mystic laws and with an outward air of quite declining to be unduly precipitated. How little it may be thought of in New York as a quick business we readily perceive as the effect of merely remembering the vast numbers of their kind that the arriving reinforcements, from whatever ends of the earth, find already in possession of the field. There awaits the disembarked Armenian, for instance, so warm and furnished an Armenian corner that the need of hurrying to get rid of the sense of it must become less and less a pressing preliminary. The corner growing warmer and warmer, it is to be supposed, by rich accretions, he may take his time, more and more, for becoming absorbed in the surrounding element, and he may in fact feel more and more that he can do so on his own conditions. I seem to find indeed in this latter truth a hint for the best expression of a whole side of New York —the best expression of much of the medium in which one consciously moves. It is formed by this fact that the alien is taking his time, and that you go about with him meanwhile, sharing, all respectfully, in his deliberation, waiting on his convenience, watching him at his interesting work. The vast foreign quarters of the city present him as thus engaged in it, and they are curious and portentous and "picturesque" just by reason of their doing so. You recognize in them, freely, those elements that are not elements of swift convertibility, and you lose yourself in the wonder of what becomes, as it were, of the obstinate, the unconverted residuum. The country at large, as you cross it in different senses, keeps up its character for you as the hugest thinkable organism for successful "assimilation"; but the assimilative force itself has the residuum still to count with. The operation of the immense machine, identical after all with the total of American life, trembles away into mysteries that are beyond our present notation, and that reduce us, in many a mood, to renouncing analysis.

Who and what is an alien, when it comes to that, in a country peopled from the first under the jealous eye of history?—peopled, that is, by migrations at once extremely recent, perfectly traceable and urgently required. They are still, it would appear,

urgently required—if we look about, far enough, for the urgency; though of that truth such a scene as New York may well make one doubt. Which is the American, by these scant measures?—which is *not* the alien, over a large part of the country at least, and where does one put a finger on the dividing line, or, for that matter, "spot," and identify any particular phase of the conversion, any one of its successive moments? The sense of the interest of so doing is doubtless half the interest of the general question—the possibility of our seeing lucidly presented some such phenomenon, in a given group of persons, or even in a felicitous individual, as the dawn of the American spirit, while the declining rays of the Croatian, say, or of the Calabrian, or of the Lusitanian, still linger more or less pensively in the sky. Fifty doubts and queries come up, in regard to any such possibility, as one circulates in New York, with the so ambiguous element in the *launched* foreign personality always in one's eyes; the wonder, above all, of whether there be, comparatively, in the vastly greater number of the representatives of the fresh contingent, any spirit that the American does not find an easy prey. Repeatedly, in the electric cars, one seemed invited to take that for granted—there being occasions, days and weeks together, when the electric cars offer you nothing else to think of. The carful, again and again, is a foreign carful; a row of faces, up and down, testifying without exception to alienism unmistakable, alienism undisguised and unashamed. You do here, in a manner, perhaps, discriminate; the launched condition, as I have called it, is more developed in some types than in others; but I remember observing how in the Broadway and the Bowery conveyances in especial, they tended, almost alike, to make the observer gasp with the sense of isolation. It was not for this that the observer on whose behalf I more particularly write had sought to take up again the sweet sense of the natal air.

The great fact about his companions was that, foreign as they might be, newly inducted as they might be, they were *at home,* really more at home, at the end of their few weeks, or months, or their year or two, than they had ever in their lives been before; and that *he* was at home too, quite with the same intensity: and yet that it was this very equality of condition that, from side to side, made the whole medium so strange. Here again, however, relief may be sought and found—and I say this at the risk of

perhaps picturing the restored absentee as too constantly requiring it; for there is fascination in the study of the innumerable ways in which this sense of being at home, on the part of all the types, may show forth. New York offers to such a study a well-nigh unlimited field; but I seem to recall winter days, harsh, dusky, sloshy winter afternoons, in the densely-packed East-side street-cars, as an especially intimate surrender to it. It took its place thus, I think, under the general American law of *all* relief from the great equalizing pressure: it took on that last disinterestedness which consists in one's getting away from one's subject by plunging into it, for sweet truth's sake, still deeper. If I speak, moreover, of this general first grossness of alienism as presented in "types," I use that word for easy convenience and not in respect to its indicating marked variety. There are many different ways, certainly, in which obscure fighters of the battle of life may look, under new high lights, queer and crude and unwrought; but the striking thing, precisely, in the crepuscular, tunnel-like avenues that the "Elevated" overarches—yet without quenching, either, that constant power of any American exhibition rather luridly to light itself—the striking thing, and the beguiling, was always the manner in which figure after figure and face after face already betrayed the common consequence and action of their whereabouts. Face after face, unmistakably, was "low"—particularly in the men, squared all solidly in their new security and portability, their vague but growing sense of many unprecedented things; and, as signs of the reinforcing of a large local conception of manners and relations, it was difficult to say if they most affected one as promising or as portentous.

The great thing, at any rate, was that they were all together so visibly on the new, the lifted, level—that of consciously not being what they *had* been, and that this immediately glazed them over as with some mixture, of indescribable hue and consistency, the wholesale varnish of consecration, that might have been applied, out of a bottomless receptacle, by a huge whitewashing brush. Here perhaps was the nearest approach to a seizable step in the evolution of the oncoming citizen, the stage of his no longer being for you—for any complacency of the romantic, or even verily of the fraternizing, sense in you—the foreigner of the quality, of the kind, that he might have been *chez lui*. Whatever he might see himself becoming, he was never to see himself

that again, any more than you were ever to see him. He became thus, to my vision (which I have called fascinated for want of a better description of it), a creature promptly despoiled of those "manners" which were the grace (as I am again reduced to calling it) by which one had best known and, on opportunity, best liked him. He presents himself thus, most of all, to be plain—and not only in New York, but throughout the country—as wonderingly conscious that his manners of the other world, that everything you have there known and praised him for, have been a huge mistake; to that degree that the sense of this luminous discovery is what we mainly imagine his weighted communications to those he has left behind charged with; those rich letters home as to the number and content of which the Post-Office gives us so remarkable a statistic. If there are several lights in which the great assimilative organism itself may be looked at, does it not thus perhaps loom largest as an agent for revealing to the citizen-to-be the error in question? He hears it, under this ægis, proclaimed in a thousand voices, and it is as listening to these and as according to the individual more or less swiftly, but always infallibly, penetrated and convinced by them, that I felt myself see him go about his business, see him above all, for some odd reason, sit there in the street-car and with a slow, brooding gravity, a dim calculation of bearings, which yet never takes a backward step, expand to the full measure of it.

So, in New York, largely the "American" value of the immigrant who arrives at all mature is restricted to the enjoyment (all prepared to increase) of that important preliminary truth; which makes him for us, we must own, till more comes of it, a tolerably neutral and colorless image. He resembles for the time the dog who sniffs round the freshly-acquired bone, giving it a push and a lick, betraying a sense of its possibilities, but not —and quite as from a positive deep tremor of consciousness—directly attacking it. There are categories of foreigners, truly, meanwhile, of whom we are moved to say that only a mechanism working with scientific force could have performed this feat of making them colorless. The Italians, who, over the whole land, strike us, I am afraid, as, after the Negro and the Chinaman, the human value most easily produced, the Italians meet us, at every turn, only to make us ask what has become of that element of the agreeable address in *them* which has, from far back, so

enhanced for the stranger the interest and pleasure of a visit to their beautiful country. They shed it utterly, I couldn't but observe, on their advent, after a deep inhalation or two of the clear native air; shed it with a conscientious completeness which leaves one looking for any faint trace of it. "Color," of that pleasant sort, was what they had appeared, among the races of the European family, most to have; so that the effect I speak of, the rapid action of the ambient air, is like that of the tub of hot water that reduces a piece of bright-hued stuff, on immersion, to the proved state of not "washing": the only fault of my image indeed being that if the stuff loses its brightness the water of the tub, at least, is more or less agreeably dyed with it. That is doubtless not the case for the ambient air operating after the fashion I here note—since we surely fail to observe that the property washed out of the new subject begins to tint with its pink or its azure his fellow soakers in the terrible tank. If this property that has quitted him—the general amenity of attitude in the absence of provocation to its opposite—could be accounted for by its having rubbed off on any number of surrounding persons, the whole process would be easier and perhaps more comforting to follow. It will not have been his first occasion of taking leave of short-sighted comfort in the United States, however, if the patient inquirer postpones that ideal to the real solicitation of the question I here touch on.

What *does* become of the various positive properties, on the part of certain of the installed tribes, the good manners, say, among them, as to which the process of shedding and the fact of eclipse come so promptly into play? It has taken long ages of history, in the other world, to produce them, and you ask yourself, with independent curiosity, if they may really be thus extinguished in an hour. And if they are not extinguished, into what pathless tracts of the native atmosphere do they virtually, do they provisionally, and so all undiscoverably, melt? Do they burrow underground, to await their day again?—or in what strange secret places are they held in deposit and in trust? The "American" identity that has profited by their sacrifice has meanwhile acquired (in the happiest cases) all apparent confidence and consistency; but may not the doubt remain of whether the extinction of qualities ingrained in generations is to be taken for quite complete? Isn't it conceivable that, for something

like a final efflorescence, the business of slow comminglings and makings-over at last ended, they may rise again to the surface, affirming their vitality and value and playing their part? It would be for them, of course, in this event, to attest that had they been worth waiting so long for; but the speculation, at any rate, irresistibly forced upon us, is a sign of the interest, in the American world, of what I have called the "ethnic" outlook. The caldron, for the great stew, has such circumference and such depth that we can only deal here with ultimate syntheses, ultimate combinations and possibilities. Yet I am well aware that if these vague evocations of them, in their nebulous remoteness, may charm the ingenuity of the student of the scene, there are matters of the foreground that they have no call to supplant. Any temptation to let them do so is meanwhile, no doubt, but a proof of that impulse irresponsibly to escape from the formidable foreground which so often, in the American world, lies in wait for the spirit of intellectual dalliance.

III.

New York really, I think, is *all* formidable foreground; or if it be not, there is more than enough of this pressure of the present and the immediate to cut out the close sketcher's work for him. These things are a thick growth all round him, and when I recall the intensity of the material picture in the dense Yiddish quarter, for instance, I wonder at its not having forestalled, on my page, mere musings and, as they will doubtless be called, moonings. There abides with me, ineffaceably, the memory of a summer evening spent there by invitation of a high public functionary, domiciled on the spot—to the extreme enhancement of the romantic interest his visitor found him foredoomed to inspire—who was to prove one of the most liberal of hosts and most luminous of guides. I can scarce help it if this brilliant personality, on that occasion, the very medium itself through which the whole spectacle showed, so colors my impressions that if I speak, by intention, of the facts that played into them, I may really but reflect the rich talk and the general privilege of the hour. That accident, moreover, must take its place simply as the highest value and the strongest note in the total show—so much did it testify to the quality of appealing, surrounding life. The sense of this quality was already strong

in my drive, with a companion, through the long, warm June twilight, from a comparatively conventional neighborhood; it was the sense, after all, of a great swarming, a swarming that had begun to thicken, infinitely, as soon as we had crossed to the East side and long before we had got to Rutgers Street. There is no swarming like that of Israel when once Israel has got a start, and the scene here bristled, at every step, with the signs and sounds, immitigated, unmistakable, of a Jewry that had burst all bounds. That it had burst all bounds, in New York, almost any combination of figures or of objects, taken at hazard, sufficiently proclaims; but I remember how the rising waters, on this summer night, rose, to the imagination, even above the house-tops, and seemed to sound their murmur to the pale distant stars. It was as if we had been thus, in the crowded, hustled roadway, where multiplication, multiplication of everything, was the dominant note, at the bottom of some vast sallow aquarium in which innumerable fish, of overdeveloped proboscis, were to bump together, forever, amid heaped spoils of the sea.

The children swarmed above all—here was multiplication with a vengeance, and the number of very old persons, of either sex, was almost equally remarkable; the very old persons being in equal vague occupation of the doorstep, pavement, curbstone, gutter, roadway, and every one alike using the street for overflow. As overflow, in the whole quarter, is the main fact of life—I was to learn later on that, with the exception of some shy corner of Asia, no district in the world known to the statistician has so many inhabitants to the yard—the scene hummed with the human presence beyond any I had ever faced in quest even of refreshment; producing part of the impression, moreover, no doubt, as a direct consequence of the intensity of the Jewish aspect. This, I think, makes the individual Jew more of a concentrated person, savingly possessed of everything that is in him, than any other human, taken at hazard—or is it simply, rather, that the unsurpassed strength of the race permits of the chopping into myriads of fine fragments without loss of race-quality? There are small strange animals, known to natural history, snakes or worms, I believe, which, when cut into segments, wriggle away contentedly and live in the snippet as completely as in the whole. So the denizens of the New York Ghetto, heaped as thick as the splinters on the table of a glass-blower, had each, like the fine

glass particle, his or her individual share of the whole hard glitter of Israel. This diffused intensity, as I have called it, causes any array of Jews to resemble (if I may be allowed another image) some long nocturnal street where every window in every house shows a maintained light. The advanced age of so many of the figures, the ubiquity of the children, carried out in fact this analogy; they were all there for race, and not, as it were, for reason: that excess of lurid meaning, in some of the old men's and old women's faces, in particular, would have been absurd, in the conditions, as a really directed attention—it could only be the gathered past of Israel mechanically pushing through. The way, at the same time, this chapter of history did, all that evening, seem to push, was a matter that made the "ethnic" apparition, again, sit like a skeleton at the feast. It was fairly as if I could see the spectre grin while the talk of the hour gave me, across the board, facts and figures, chapter and verse, for the extent of the Hebrew conquest of New York. With a reverence for intellect, one should doubtless have drunk in tribute to an intellectual people; but I remember being at no time more conscious of that merely portentous element, in the aspects of American growth, which reduce to inanity any especial dismay quite as much as any high elation. The portent is one of too many—you always come back as I have hinted, with your easier gasp, to *that:* it will be time enough to sigh or to shout when the relation of the particular appearance to all the other relations shall have cleared itself up. Phantasmagoric for me, accordingly, in a high degree, are the interesting hours I here glance at content to remain—setting in this respect, I recognize, an excellent example to all the rest of the New York phantasmagoria. Let me speak of the remainder only as phantasmagoric too, so that I may both the more sweetly recall it and the sooner have done with it.

I have not done, however, with the impression of that large evening in the Ghetto; there was too much in the vision, and it has left too much the sense of a rare experience. For what did it all really come to but that one had seen with one's eyes the New Jerusalem on earth? What less than that could it all have been, in its far-spreading light and its celestial serenity of multiplication? There it was, there it is, and when I think of the dark, foul, stifling Ghettos of other remembered cities, I shall think by the same stroke of the City of Redemption, and evoke in par-

ticular the rich Rutgers Street perspective—rich, so peculiarly, for the eye, in that complexity of fire-escapes with which each house-front bristles and which gives the whole vista so modernized and appointed a look. Omnipresent in the "poor" regions, this neat applied machinery has, for the stranger, a common side with the electric light and the telephone, suggests the distance achieved from the old Jerusalem. (These frontal iron ladders and platforms, by the way, so numerous throughout New York, strike more New York notes than can be parenthetically named—and among them perhaps, most sharply, the note of the ease with which, in the terrible town, on opportunity, "architecture" goes by the board; but the appearance to which they perhaps most conduce is that of the spaciously organized cage for the nimbler class of animals in some great zoological garden. This general analogy is irresistible—it seems to offer, in each district, a little world of bars and perches and swings for human squirrels and monkeys. The very name of architecture perishes, for the fire-escapes look like abashed afterthoughts, staircases and communications forgotten in the construction; but the inhabitants lead, like the squirrels and monkeys, all the merrier life.) It was while I hung over the prospect from the windows of my friend, however, the presiding genius of the district, and it was while, at a later hour, I proceeded in his company, and in that of a trio of contributive fellow pilgrims, from one "characteristic" place of public entertainment to another: it was during this rich climax, I say, that the City of Redemption was least to be taken for anything less than it was. The windows, while we sat at meat, looked out on a swarming little Square, in which an antlike population darted to and fro; the Square consisted in part of a "district" public garden, or public lounge, rather, one of those small backwaters or refuges, artfully economized for rest, here and there, in the very heart of the New York whirlpool, and which spoke louder than anything else of a Jerusalem disinfected. What spoke loudest, no doubt, was the great overtowering School which formed a main boundary, and in the shadow of which we all comparatively crouched.

But the School must not lead me on just yet—so colossally has its presence still to loom for us; that presence which profits so, for predominance, in America, by the failure of concurrent and competitive presences, the failure of any others looming at all

on the same scale save that of Business, those in particular of a visible Church, a visible State, a visible Society, a visible Past; those of the many visibilities, in short, that warmly cumber the ground in older countries. Yet it also spoke loud that my friend was quartered, for the interest of the thing (from his so interesting point of view) in a "tenement-house"; the New Jerusalem would so have triumphed, had it triumphed nowhere else, in the fact that this charming little structure *could* be ranged, on the wonderful little Square, under that invidious head. On my asking to what latent vice it owed its stigma, I was asked in return if it didn't sufficiently pay for its name by harboring some five-and-twenty families. But this, exactly, was the way it testified—this circumstance of the simultaneous enjoyment by five-and-twenty families, on "tenement" lines, of conditions so little sordid, so highly "evolved." I remember the evolved fire-proof staircase, a thing of scientific surfaces, impenetrable to the microbe, and above all plated, against side friction, with white marble of a goodly grain. The white marble was surely the New Jerusalem note, and we followed that note, up and down the district, the rest of the evening, through more happy changes than I may take time to count. What struck me in the flaring streets (over and beyond the everywhere insistent, defiant, unhumorous, exotic face) was the blaze of the shops addressed to the New Jerusalem wants and the splendor with which these were taken for granted: the only thing indeed a little ambiguous was just this look of the trap too brilliantly, too candidly, baited for the wary side of Israel itself. It is not *for* Israel, in general, that Israel so artfully shines—yet its being moved to do so, at last, in that luxurious style, might be precisely the grand side of the City of Redemption. Who can ever tell, moreover, in any conditions and in presence of any apparent anomaly, what the genius of Israel may, or may not, really be "up to"?

The grateful way to take it all, at any rate, was with the sense of its coming back again to the inveterate rise, in the American air, of every value, and especially of the lower ones, those most subject to multiplication; such a wealth of meaning did this keep appearing to pour into the value and function of the country at large. Importances are all strikingly shifted and reconstituted, in the United States, for the visitor attuned, from far back, to "European" importances; but I think of no other mo-

ment of my total impression as so sharply working over my own benighted vision of them. The scale, in this light of the New Jerusalem, seemed completely rearranged; or, to put it more simply, the wants, the gratifications, the aspirations of the "poor," as expressed in the shops (which were the shops of the "poor"), denoted a new style of poverty; and this new style of poverty, from street to street, stuck out of the possible purchasers, one's jostling fellow pedestrians, and made them, to every man and woman, individual throbs in the larger harmony. One can speak only of what one has seen, and there were grosser elements of the sordid and the squalid that I doubtless never saw. That, with a good deal of observation and of curiosity, I should have failed of this, the country over, affected me as by itself something of an indication. To miss that part of the spectacle, or to know it only by its having so unfamiliar a pitch, was an indication that made up for a great many others. It is when this one in particular is forced home to you—this immense, vivid, *general* lift of poverty and general appreciation of the living unit's paying property in himself—that the picture seems most to clear and the way to jubilation most to open. For it meets you there, at every turn, as the result most definitely attested. You are as constantly reminded, no doubt, that these rises in enjoyed value shrink and dwindle under the icy breath of Trusts and the weight of the new remorseless monopolies that operate as no madnesses of ancient personal power thrilling us on the historic page ever operated; the living unit's property in himself becoming more and more merely such a property as may consist with a relation to properties overwhelmingly greater and that allow the asking of no questions and the making, for coexistence with them, of no conditions. But that, in the fortunate phrase, is another story, and will be, altogether, evidently, a new and different drama. There is such a thing, in the United States, it is hence to be inferred, as freedom to grow up to be blighted, and it may be the only freedom in store for the smaller fry of future generations. If it is accordingly of the smaller fry I speak, and of how large they massed on that evening of endless admonitions, this will be because I caught them thus in their comparative humility and at an early stage of their American growth. The life-thread has, I suppose, to be of a certain thickness for the great shears of Fate to feel for it. Put it, at the

worst, that the Ogres were to devour them, they were but the more certainly to fatten into food for the Ogres.

Their dream, at all events, as I noted it, was meanwhile sweet and undisguised—nowhere sweeter than in the half-dozen picked beer-houses and cafés in which our ingenuous *enquête,* that of my fellow pilgrim and I, wound up. These establishments had each been selected for its playing off some facet of the jewel, and they wondrously testified, by their range and their individual color, to the spread of that lustre. It was a pious rosary of which I should like to tell each bead, but I must let the general sense of the adventure serve. Our successive stations were in no case of the "seamy" order, an inquiry into seaminess having been unanimously pronounced futile, but each had its separate social connotation, and it was for the number and variety of these connotations, and their individual plenitude and prosperity, to set one thinking. Truly the Yiddish world was a vast world, with its own deeps and complexities, and what struck one above all was that it sat there at its cups (and in no instance vulgarly the worse for them) with a sublimity of good conscience that took away the breath, a protrusion of elbow never aggressive, but absolutely proof against jostling. It was the incurable man of letters under the skin of one of the party who gasped, I confess; for it was in the light of letters, that is in the light of our language as literature has hitherto known it, that one stared at this all-unconscious impudence of the agency of future ravage. The man of letters, in the United States, has his own difficulties to face and his own current to stem—for dealing with which his liveliest inspiration may be, I think, that they are still very much his own, even in an Americanized world, and that more than elsewhere they press him to intimate communion with his honor. For that honor, the honor that sits astride of the consecrated English tradition, to his mind, quite as old knighthood astride of its caparisoned charger, the dragon most rousing, over the land, the proper spirit of St. George, is just this immensity of the alien presence climbing higher and higher, climbing itself into the very light of publicity.

I scarce know why, but I saw it that evening as in some dim dawn of that promise to its own consciousness, and perhaps this was precisely what made it a little exasperating. Under the impression of the mere mob the question doesn't come up, but in

these haunts of comparative civility we saw the mob sifted and strained, and the exasperation was the sharper, no doubt, because what the process had left most visible was just the various possibilities of the waiting spring of intelligence. Such elements constituted the germ of a "public," and it was impossible (possessed of a sensibility worth speaking of) to be exposed to them without feeling how new a thing under the sun the resulting public would be. That was where one's "lettered" anguish came in—in the turn of one's eye from face to face for some betrayal of a prehensile hook for the linguistic tradition as one had known it. Each warm lighted and supplied circle, each group of served tables and smoked pipes and fostered decencies and unprecedented accents, beneath the extravagant lamps, took on thus, for the brooding critic, a likeness to that terrible modernized and civilized room in the Tower of London, haunted by the shade of Guy Fawkes, which had more than once formed part of the scene of the critic's taking tea there. In this chamber of the present urbanities the wretched man had been stretched on the rack, and the critic's ear (how else should it have been a critic's?) could still always catch, in pauses of talk, the faint groan of his ghost. Just so the East-side cafés—and increasingly as their place in the scale was higher—showed, to my inner sense, beneath their bedizzenment, as torture-rooms of the living idiom; the piteous gasp of which at the portent of lacerations to come could reach me in any drop of the surrounding Accent of the Future. The accent of the very ultimate future, in the States, may be destined to become the most beautiful on the globe and the very music of humanity (here the "ethnic" synthesis shrouds itself thicker than ever); but whatever we shall know it for, certainly, we shall not know it for English—in any sense for which there is an existing literary measure.

IV.

The huge jagged city, it must be nevertheless said, has always at the worst, for propitiation, the resource of its easy reference to its almost incomparable river. New York may indeed be jagged, in her long leanness, where she lies looking at the sky in the manner of some colossal hair-comb turned upward and so deprived of half its teeth that the others, at their uneven intervals, count doubly as sharp spikes; but, unmistakably, you can bear with some of her aspects and her airs better when you have

really taken in that reference, which I speak of as easy because she has in this latter time begun to make it with an appearance of some intention. She has come at last, far up on the West side, into possession of her birthright, into the roused consciousness that some possibility of a river-front may still remain to her; though, obviously, a justified pride in this property has yet to await the birth of a more responsible sense of style in her dealings with it, the dawn of some adequate plan or controlling idea. Splendid the elements of position, on the part of the new Riverside Drive (over the small suburbanizing name of which, as at the effect of a second-rate shop-worn article, we sigh as we pass); yet not less irresistible the pang of our seeing it settle itself on meagre, bourgeois, happy-go-lucky lines. The pity of this is sharp in proportion as the "chance" has been magnificent, and the soreness of perception of what merely might have been is as constant as the flippancy of the little vulgar "private houses" or the big vulgar "apartment hotels" that are having their own way, so unchallenged, with the whole question of composition and picture. The fatal "tall" pecuniary enterprise rises where it will, in the candid glee of new worlds to conquer; the intervals between take whatever foolish little form they like; the sky-line, eternal victim of the artless jumble, submits again to the type of the broken hair-comb turned up; the streets that abut from the East condescend at their corners to any crudity or poverty that may suit their convenience. And all this in presence of an occasion for noble congruity such as one scarce knows where to seek in the case of another great city.

A sense of the waste of criticism, however, a sense that is almost in itself consoling, descends upon the fond critic after his vision has fixed the scene awhile in this light of its lost accessibility to some informed and benevolent despot, some power working in one great way and so that the interest of beauty should have been better saved. Is not criticism wasted, in other words, just by the reason of the constant remembrance, on New York soil, that one is almost impudently cheated by any part of the show that pretends to prolong its actuality or to rest on its present basis? Since every part, however blazingly new, fails to affect us as doing more than hold the ground for something else, some conceit of the bigger dividend, that is still to come, so we may bind up the æsthetic wound, I think, quite as promptly as we

feel it open. The particular ugliness, or combination of uglinesses, is no more final than the particular felicity (since there are several even of these up and down the town to be noted) and whatever crudely-extemporized look the Riverside heights may wear to-day, the spectator of fifty years hence will find his sorrow, if not his joy, in a different extemporization. The whole thing is the vividest of lectures on the subject of individualism, and on the strange truth, no doubt, that this principle may in the field of art—at least if the art be architecture—often conjure away just that mystery of distinction which it sometimes so markedly promotes in the field of life. It is also quite as suggestive perhaps as to the ever-interesting question, for the artist, of the entirely relative nature and value of "treatment." A manner so right in one relation may be so wrong in another, and a house-front so "amusing" for its personal note, or its perversity, in a short perspective, may amid larger elements merely dishonor the harmony. And yet why *should* the charm ever fall out of the "personal," which is so often the very condition of the exquisite? Why should conformity and subordination, that acceptance of control and assent to collectivism in the name of which our age has seen such dreary things done, become on a given occasion the one *not* vulgar way of meeting a problem?

Inquiries these, evidently, that are answerable only in presence of the particular cases provoking them; when indeed they may hold us as under a spell. Endless, for instance, the æsthetic nobleness of such a question as that of the authority with which the spreading Hudson, at the opening of its gates, would have imposed on the constructive powers, if listened to, some proportionate order—would in other words have admirably given us collectivism at its highest. One has only to stand there and *see*—of such value are lessons in "authority." But the great vista of the stream alone speaks of it—save in so far at least as the voice is shared, and to so different, to so dreadful, a tune, by the grossly-defacing railway that clings to the bank. The authority of railways, in the United States, sits enthroned as none other, and has always, of course, in any vision of aspects, to be taken into account. Here, at any rate, it is the rule that has prevailed; the other, the high interest of the possible picture, is one that lapses; so that the cliffs overhang the water, and at various points descend to it in green slopes and hollows (where the landscape-

gardener does what he can), only to find a wealth of visible baseness installed there before them. That so familiar circumstance, in America, of the completion of the good thing ironically and, as would often seem for the time, insuperably baffled, meets here one of its liveliest illustrations. It at all events helps to give meanwhile the mingled pitch of the whole concert that Columbia College (to sound the old and easier name) should have "moved up"—moved up twice, if I am not mistaken—to adorn with an ampler presence this very neighborhood. It has taken New York to invent, for the thickening of classic shades, the "moving" University; and does not that quite mark the tune of the dance, of the local unwritten law that forbids almost *any* planted object to gather in a history where it stands, forbids in fact any accumulation that may not be recorded in the mere bank-book? This last became long ago *the* historic page.

It is, however, just because the beauty of the Hudson seems to speak of other matters, and because the sordid city has the honor, after all, of sitting there at the Beautiful Gate, that I alluded above to her profiting in a manner, even from the point of view of "taste," by this close and fortunate connection. The place puts on thus, not a little, the likeness of a large loose family which has had queer adventures and fallen into vulgar ways, but for which a glorious cousinship, never quite repudiated by the indifferent princely cousin—*bon prince* in this as in other matters—may still be pleaded. At the rate New York is growing, in fine, she will more and more "command," in familiar intercourse, the great perspective of the River; so that here, a certain point reached, her whole case must change and her general opportunity, swallowing up the mainland, become a new question altogether. Let me hasten to add that in the light of this opportunity even the most restless analyst can but take the hopeful view of her. I fear I am finding too many personal comparisons for her—than which indeed there can be no greater sign of a confessed preoccupation; but she figures, once again, as an heir whose expectations are so vast and so certain that no temporary sowing of wild oats need be felt to endanger them. As soon as the place begins to spread at ease, real responsibility, of all sorts, will begin, and the good-natured feeling must surely be that the civic conscience in her, at such a stage, will fall into step. Of the spreading woods and waters amid which the future

in question appears still half to lurk, that mainland region of the Bronx, vast above all in possibilities of Park, out of which it already appears half to emerge, I unluckily failed of occasion to take the adequate measure. But my confused impression was of a kind of waiting abundance, an extraordinary quantity of "nature," for the reformed rake, that is the sobered heir, to play with. It is the fashion, in the East, to speak of New York as poor of environment, unpossessed of the agreeable, accessible countryside that crowns the convenience not only of London and of Paris, but even, with more humiliating promptitude, that of Boston, of Philadelphia, of Baltimore. In spite, however, of the memory, from far back, of a hundred marginal Manhattanese miseries, an immediate belt of the most sordid character, I cannot but think of this invidious legend as attempting to prove too much.

The countryside is there on the most liberal of scales—it is the townside, only, that, having the great waters, and the greater distances generally, to deal with, has worn so rude and demoralized a face as to frighten the country away. And if the townside is now making after the countryside fast, as I say, and with a little less of the mere roughness of the satyr pursuing the nymph, what finer warrant could be desired than such felicities of position as those enjoyed, on the Riverside heights, by the monument erected to the soldiers and sailors of the Civil War and, even in a greater degree, by the tomb of General Grant? These are verily monumental sites of the first order, and I confess, that, though introduced to them on a bleak winter morning, with no ingratiation in any element, I felt the critical question, as to the structures themselves, as to taste or intention, as to the amount of involved or achieved consecration or profanation, carried off in the general greatness of the effect. I shall in fact always remember that icy hour, with the temple-crowned headlands, the wide Hudson vista white with the cold, all nature armor-plated and grim, as an extraordinarily strong and simple composition; made stern and kept simple as for some visit of the God of Battles to his chosen. He might have been riding there, on the northwind, to look down at them, and one caught, for the moment, the true hard light in which military greatness should be seen. It shone over the miles of ice with its lustre of steel, and if what, thus attested, it makes one think of was its incom-

parable, indestructible "prestige," so that association affected me both then and on a later occasion as with a strange indefinable consequence—an influence in which the æsthetic consideration, the artistic value of either memorial, melted away and became irrelevant. For here, if ever, was a great democratic demonstration caught in the fact, the nakedest possible effort to strike the note of the august. The tomb of the single hero, in particular, presents itself in a manner so opposed to our common ideas of the impressive, to any past vision of sepulchral state, that we can only wonder if a new kind and degree of solemnity may not have been arrived at in this complete rupture with old consecrating forms.

The tabernacle of Grant's ashes stands there by the pleasure-drive unguarded and unenclosed, the feature of the prospect and the property of the people, as open as an hotel or a railway-station to any coming and going, and as dedicated to the public use as builded things in America (when not mere closed churches) only can be. Unmistakable its air of having had, all consciously, from the first, to raise its head and play its part without pomp and circumstance to "back" it, without mystery or ceremony to protect it, without Church or State to intervene on its behalf, with only its immediacy, its familiarity of interest, to circle it about, and only its proud outlook to preserve, so far as possible, its character. The tomb of Napoleon at the Invalides is a great national property, and the play of democratic manners sufficiently surrounds it; but as compared to the small pavilion on the Riverside bluff it is a holy of holies, a great temple jealously guarded and formally approached. And yet one doesn't conclude, strange to say, that the Riverside pavilion fails of its expression a whit more than the Paris dome; one perhaps even feels it triumph by its use of its want of reserve as a very last word. The admonition of all of which possibly is—I confess I but grope for it—that, when there has been in such cases a certain other happy combination, an original sincerity of intention, an original propriety of site, and above all an original high value of name and fame, something in this line really supreme, publicity, familiarity, immediacy, as I have called them, *carried far enough,* may stalk in and out of the shrine with their hands in their pockets and their hats on their heads and yet not dispel the Presence. The question at any rate puts itself—as new ques-

tions, in America, are always putting themselves: Do certain impressions there represent the absolute extinction of old sensibilities, or do they represent only new forms of them? The inquiry would be doubtless easier to answer if so many of these feelings were not mainly known to us just *by* their attendant forms. At this rate, or on such a showing, in the United States, attendant forms being, in every quarter, remarkably scarce, it would indeed seem that the sentiments implied *are* extinct; for it would be an abuse of ingenuity, I fear, to try to read mere freshness of form into some of the more rank failures of observance. There are failures of observance that stand, at the best, for failures of sense—whereby, however, the question grows too great. One must leave the tomb of Grant to its conditions and its future with the simple note for it that, if it be not in fact one of the most effective of commemorations, it is one of the most missed. On the whole, I distinctly "liked" it.

V.

It is still vivid to me that, returning in the spring-time from a few weeks in the Far West, I reentered New York State with the absurdest sense of meeting again a ripe old civilization and travelling through a country that showed the mark of established manners. It will seem, I fear, one's perpetual refrain, but the moral was yet once more that values of a certain order are, in such conditions, all relative, and that, as some wants of the spirit *must* somehow be met, one knocks together any substitute that will fairly stay the appetite. We had passed great smoky Buffalo in the raw vernal dawn—with a vision, for me, of curiosity, character, charm, whatever it might be, too needfully sacrificed, opportunity perhaps forever missed, yet at the same time a vision in which the lost object failed to mock at me with the last concentration of shape; and history, as we moved Eastward, appeared to meet us, in the look of the land, in its more overwrought surface and thicker detail, quite as if she had ever consciously declined to cross the border and were aware, precisely, of the queer feast we should find in her. The recognition, I profess, was a preposterous ecstasy: one couldn't have felt more if one had passed into the presence of some seated, placid, rich-voiced gentlewoman, after leaving that of an honest but boisterous hoyden. It was doubtless a matter only of degrees and shades,

but never was such a pointing of the lesson that a sign of any sort may count double if it be but artfully placed. I spent that day, literally, in the company of the rich-voiced gentlewoman, making my profit of it even in spite of a second privation, the doom I was under of having only, all wistfully, all ruefully, to avert my lips from the quaint silver bowl, as I here quite definitely figured it, in which she offered me the entertainment of antique Albany. At antique Albany, to a certainty, the mature matron involved in my metaphor would have put on a particular grace, and as our train crossed the river for further progress I almost seemed to see her stand at some gable-window of Dutch association, one of the two or three impressed there on my infantile imagination, to ask me why then I had come so far at all.

I could have replied but in troubled tones, and I looked at the rest of the scene for some time, no doubt, as through the glaze of all but filial tears. Thus it was, possibly, that I saw the River shine, from that moment on, as a great romantic stream, such as could throw not a little of its glamour, for the mood of that particular hour, over the city at its mouth. I had not even known, in my untravelled state, that we were to "strike" it on our way from Chicago, so that it represented, all that afternoon, so much beauty thrown in, so much benefit beyond the bargain, the so hard bargain, for the traveller, of the American railway journey at its best. That ordeal was in any case at its best here, and the perpetually-interesting river kept its course, by my right elbow, with such splendid consistency that, as I recall the impression, I repent as little of having just now reflected with acrimony on the cost of the obtruded fact of the railroad to the Riverside view. One must, of course, choose between dispensing with the ugly presence and enjoying the scenery by the aid of the same—which but means, really, that to use the train at all had been to put one's self, for any proper justice to the scenery, in a false position. That, however, takes us too far back, and one can only save one's dignity by laying all such blames on our detestable age. A decent respect for the Hudson would confine us to the use of the boat—all the more that American river-steamers have had, from the earliest time, for the true *raffiné*, their peculiar note of romance. A possible commerce, on the other hand, with one's time—which is always also the time of so many other busy people—has long since made mince-meat of the rights of contemplation;

rights as reduced, in the United States, to-day, and by quite the same argument, as those of the noble savage whom we have banished to his narrowing reservation. Letting that pass, at all events, I still remember that I was able to put, from the car-window, as many questions to the scene as it could have answered in the time even had its face been clearer to read.

Its face was veiled, for the most part, in a mist of premature spring heat, an atmosphere draping it indeed in luminous mystery, hanging it about with sun-shot silver and minimizing any happy detail, any element of the definite, from which the romantic effect might here and there have gained an accent. There was not an accent in the picture from the beginning of the run to Albany to the end—for which thank goodness, one is tempted to say, on remembering how often, over the land in general, the accents are wrong. Yet if the romantic effect as we know it elsewhere mostly depends on them, why *should* that glamour have so shimmered before me in their absence?—how should the picture have managed to be a constant combination of felicities? Was it just *because* the felicities were all vaguenesses, and the "beauties," even the most celebrated, all blurs—was it perchance on that very account that I could meet my wonder, so promptly, with the inference that what I had in my eyes on so magnificent a scale was simply, was famously, "style"? I was landed by that conclusion in the odd further proposition that style could then exist without accents—a quandary soon after to be quenched, however, in the mere blinding radiance of a visit to West Point. I was to make that memorable pilgrimage a fortnight later—and I was to find my question, when it in fact took place, shivered by it to mere silver atoms. The very powers of the air seemed to have taken the case in hand and positively to have been interested in making it transcend all argument. Our Sunday of mid-May, wet and windy, let loose, over the vast stage, the whole procession of storm-effects; the raw green of wooded heights and hollows was only everywhere rain-brightened, the weather playing over it all day as with some great gray water-color brush. The essential character of West Point and its native nobleness of position can have been but intensified, I think, by this artful process; yet what was mainly unmistakable was the fact again of the suppression of detail as in the positive interest of the grand style. One has therefore only to take detail as another name

for accent, the accent that might prove compromising, in order to see it made good that style *could* do without them, and that the grand style in fact almost always must. How on this occasion the trick was played is more than I shall attempt to say; it is enough to have been conscious of our being, from hour to hour, literally bathed in that high element, with the very face of nature washed, so to speak, the more clearly to express and utter it.

Such accordingly is the strong silver light, all simplifying and ennobling, in which I see the place—see it as a cluster of high promontories, of the last classic elegance, overhanging vast receding reaches of river, mountain-guarded and dim, which took their place in the geography of the ideal, in the long perspective of the poetry of association, rather than in those of the State of New York. It was as if the genius of the scene had said: "No, you *sha'n't* have accent, because accent is, at the best, local and special, and might here by some perversity—how do I know, after all?—interfere. I want you to have something unforgettable, and therefore you shall have *type*—yes, absolutely have type, and even tone, without accent; an impossibility, you may hitherto have supposed, but which you have only to look about you now really to see expressed. And type and tone of the very finest and rarest; type and tone good enough for Claude or Turner, if they could have walked by these rivers instead of by their thin rivers of France and Italy; type and tone, in short, that gather in shy detail under wings as wide as those with which a motherly hen covers her endangered brood. So there you are—deprived of all 'accent' as a peg for criticism, and reduced thereby, you see, to asking me no more questions." I was able so to take home, I may add, this formula of the matter, that even the interesting facts of the School of the Soldier which have carried the name of the place about the world almost put on the shyness, the air of conscious evasion and escape, noted in the above allocution—scarce struck me as occupying the foreground of the picture. It was part of the play again, no doubt, of the gray water-color brush: there was to be no consent of the elements, that day, to anything but a generalized elegance—in which effect, certainly, the clustered, the scattered Academy played, on its high green stage, its part. But, of all things in the world, it massed, to my vision, more mildly than I had some-

how expected; and I take that for a feature, precisely, of the pure poetry of the impression. It lurked there with grace, it insisted without swagger—and I could have hailed it just for this reason indeed as a presence of the last distinction. It is doubtless too much to say, in fine, that the Institution, at West Point, "suffers," comparatively for vulgar individual emphasis, from the overwhelming liberality of its setting—and I perhaps chanced to see it in the very conditions that most invest it with poetry. The fact remains that, both as to essence and as to quantity, its prose seemed washed away, and I shall recall it in future much less as the sternest, the world over, of all the seats of Discipline, than as some great Corot-composition of young, vague, wandering figures in splendidly-classic shades.

VI.

I make that point, for what it is worth, only to remind myself of another occasion on which the romantic note sounded for me with the last intensity, and yet on which the picture swarmed with accents—as, absent or present, I must again call them—that contributed alike to its interest and to its dignity. The proof was complete, on this second Sunday, with the glow of early summer already in possession, that affirmed detail was not always affirmed infelicity—since the scene here bristled with detail (and detail of the importance that frankly *constitutes* accent) only to the enhancement of its charm. It was a matter once more of hanging over the Hudson on the side opposite West Point, but further down; the situation was founded, as at West Point, on the presence of the great stream and on the consequent general lift of foreground and distance alike, and yet infinitely sweet was the perception that style, in such conditions and for the success of such effects, had not really to depend on mere kind vaguenesses, on any anxious deprecation of distinctness. There was no vagueness now; a wealth of distinctness, in the splendid light, met the eyes—but with the very result of showing them how happily it could play. What it came back to was that the accents, in the delightful old pillared and porticoed house that crowned the cliff and commanded the stream were as right as they were numerous; so that there immediately followed again on this observation a lively recognition of the ground of the right-ness. To wonder what this was could be but to see, straight-

way, that, though many reasons had worked together for them, mere time had done more than all, that beneficence of time enjoying in general, in the United States, so little even of the chance that so admirably justifies itself, for the most part, when interference happens to have spared it. Cases of this rare mercy yet exist, as I have occasion to note, and their consequent appeal to the touched sense within us comes, as I have also hinted, with a force out of all proportion, comes with a kind of accepted insolence of authority. The things that have lasted, in short, whatever they may be, "succeed" as no newness, try as it will, succeeds, inasmuch as their success is a produced interest.

There we catch the golden truth which so much of the American world strikes us as positively organized to gainsay, the truth that production takes time, and that the production of interest, in particular, takes *most* time. Desperate again and again the ingenuity of the offered, the obtruded substitute, and pathetic in many a case its confessed failure; this remark being meanwhile relevant to the fact that my charming old historic house of the golden Sunday put me off, among its great trees, its goodly gardens, its acquired signs and gathered memories, with no substitute whatever, even the most specious, but just paid cash down, so to speak, ripe ringing gold, over the counter; for all the attention it invited. It had character, as one might say, and character is scarce less precious on the part of the homes of men in a raw medium than on the part of responsible persons at a difficult crisis. This virtue was there within and without and on every face; but perhaps nowhere so present, I thought, as in the ideal refuge for summer days formed by the wide north porch, if porch that disposition may be called—happiest disposition of the old American countryhouse—which sets tall columns in a row under a pediment suitably severe, to present them as the "making" of a high, deep gallery. I know not what dignity of old afternoons suffused, with what languor, seems to me always, under the murmur of American trees and by the lap of American streams, to abide in these mild shades; there are combinations with depths of congruity beyond the plummet, it would seem, even of the most restless of analysts, and rather than try to say why my whole impression here melted into the general iridescence of a past of Indian summers hanging about mild ghosts half asleep, in hammocks, over still milder novels, I would renounce alto-

gether the art of refining. For the iridescence consists, in this connection, of a shimmer of association that still more refuses to be reduced to terms; some sense of legend, of aboriginal mystery, with a still earlier past for its dim background and the insistent idea of the River as above all romantic for its warrant. Helplessly analyzed, perhaps, this amounts to no more than the very childish experience of a galleried house or two round about which the views and the trees and the peaches and the pony seemed prodigious, and to the remembrance of which the wonder of Rip Van Winkle and that of the "Hudson River School" of landscape art were, a little later on, to contribute their glamour.

If Rip Van Winkle had been really at the bottom of it all, nothing could have furthered the whole case more, on the occasion I speak of, than the happy nearness of the home of Washington Irving, the impression of which I was thus able, in the course of an hour, to work in—with the effect of intensifying more than I can say the old-time charm and the general legendary fusion. These are beautiful, delicate, modest matters, and how can one touch them with a light enough hand? how can I give the comparatively coarse reasons for my finding at Sunnyside, which contrives, by some grace of its own, to be at once all ensconced and embowered in relation to the world and all frank and uplifted in relation to the River, a perfect treasure of mild moralities? The highway, the old State road to Albany, bristling now with the cloud-compelling motor, passes at the head of a deep, long lane, winding, embanked, overarched, such an old-world lane as one scarce ever meets in America; but if you embrace this chance to plunge away to the left you come out, for your reward, into the quite indefinable air of the little American literary past. The place is inevitably, to-day, but a qualified Sleepy Hollow—the Sleepy Hollow of the author's charming imagination was, as I take it, off somewhere in the hills, or in some dreamland of old autumns, happily unprofanable now; for "modernity," with its terrible power of working its will, of abounding in its sense, of gilding its toy, modernity, with its pockets full of money and its conscience full of virtue, its heart really full of tenderness, has seated itself there under pretext of guarding the shrine. What has happened, in a word, is very much what has happened in the case of other shy retreats of anchorites doomed to celebrity—the primitive cell has seen itself encompassed, in

time, by a temple of many chambers, all dedicated to the history of the hermit. The cell is still there at Sunnyside, and there is even yet so much charm that one doesn't attempt to say where the parts of it, all kept together in a rich conciliatory way, begin or end—though, indeed, I hasten to add, the identity of the original modest house, the shrine within the gilded shell, has been religiously preserved.

One has, in fact, I think, no quarrel whatever with the amplified state of the place, for it is the manner and the effect of this amplification that enable us to read into the scene its very most interesting message. The "little" American literary past, I just now said—using that word (whatever the real size of the subject) because the caressing diminutive, at Sunnyside, is what rises of itself to the lips; the small uncommodious study, the limited library, the "dear" old portrait-prints of the first half of the century—very dear to-day when properly signed and properly sallow; these things, with the beauty of the site, with the sense that the man of letters of the unimproved age, the age of processes still comparatively slow, could have wanted no deeper, softer dell for mulling material over, represent the conditions that encounter now on the spot the sharp reflection of our own increase of arrangement and loss of leisure. This is the admirable interest of the exhibition of which Wolfert's Roost had been, a hundred years before the date of Irving's purchase, the rudimentary principle—that it throws the facts of our earlier "intellectual activity" into a vague golden perspective, a haze as of some unbroken spell of the same Indian summer I a moment ago had occasion to help myself out with; a fond appearance than which nothing could minister more to envy. If we envy the spinners of prose and tellers of tales to whom our American air anciently either administered or refused sustenance, this is all, and quite the best thing, it would seem, that we need do for them: it exhausts, or rather it forestalls, the futilities of discrimination. Strictly critical, mooning about Wolfert's Roost of a summer Sunday, I defy even the hungriest of analysts to be: his predecessors, the whole connected company, profit so there, to his rueful vision, by the splendor of their possession of better conditions than his. It has taken *our* ugly era to thrust in the railroad at the foot of the slope, among the masking trees; the railroad that is part, exactly, of the pomp and circumstance, the

quickened pace, the heightened fever, the narrowed margin expressed within the very frame of the present picture, as I say, and all in the perfect good faith of collateral piety. I had hoped not to have to name the railroad—it seems so to give away my case. There was no railroad, however, till long after Irving's settlement—he survived the railroad but by a few years, and my case is simply that, disengaging *his* Sunnyside from its beautiful extensions and arriving thus at the sense of his easy elements, easy for everything but rushing about and being rushed at, the sense of his "command" of the admirable river and the admirable country, his command of all the mildness of his life, of his pleasant powers and his ample hours, of his friends and his contemporaries and his fame and his honor and his temper and, above all, of his delightful fund of reminiscence and material, I seemed to hear, in the summer sounds and in the very urbanity of my entertainers, the last faint echo of a felicity forever gone. That is the true voice of such places, and not the imputed challenge to the chronicler or the critic.

HENRY JAMES.

THE POWERS IN ASIA.

BY HIS EXCELLENCY, LIEUTENANT-GENERAL VON ALTEN, OF THE GERMAN ARMY.

TWENTY years ago, when I reported to Field-Marshal Count Moltke on the progress of events in Central Asia, the great strategist shook his head thoughtfully, pointed with his finger to the map and said: "The Russians have not now much farther to go to reach India; the British must beware."

In obedience to British suggestions, the Ameer of Afghanistan had proposed to Russia, whom the subjection of Merv in 1884 had brought into dangerous proximity to his dominions, the establishment of a neutral zone between the two countries. But the Russian Commanders, dexterously exploiting a dispute with the natives, had thrown their troops forward and fought their way to Kushk, where they took formal possession of the territory in question.

In view of the seductive vicinity of Herat, with its thirty thousand inhabitants, a further extension of the Russian frontier appeared by no means improbable, for, despite the endless difficulties opposing the execution of military operations in those trackless, waterless steppes, which are inhabited solely by warlike nomadic tribes, despite the gigantic distances (the road from the Caspian to Kushk is 620 miles long), despite the toil and privation which the wretched garrisons must permanently endure, despite the wars which she had to wage in the Caucasus, in Turkey, and in the Crimea, Russia throughout the last century had advanced steadily towards Afghanistan and India.

About the year 1800, the wide lands between China and the Caspian Sea were inhabited by free tribes, who dwelt for the most part on the shores of the Aral Sea and on the banks of the Syr-Daria and of the Amu-Daria, the Jaxartes and the

Oxus of the ancients. They were governed by their own Khans and Ameers, and had probably never heard of Europe or of the White Tsar in St. Petersburg. Barren steppes and melancholy deserts filled the vast expanse. The population lives from the proceeds gained by the breeding of sheep, horses and camels, which are driven from one grazing-ground to another. A few remnants of ancient civilization may be met with on the Persian frontier—in Bokhara, Khiva and Samarkand—where silk and cotton are cultivated and beautiful carpets and fine leather goods are manufactured. Things in the Russian Empire were of much the same description in the period to which we have referred. The sparse population suffered no lack of arable soil, and commerce and industry did not exist in forms which demanded the discovery of new markets or the utilization of foreign products. Yet this irresistible movement towards the extension of the frontiers! We cannot ascribe the movement to the arbitrary command of individual rulers; for it began under Catherine II, and has progressed until to-day quite independently of the personality of the various occupants of the throne. The so-called "testament" of Peter the Great pointed, it is true, in the first place, to the Bosporus; but only very gradually was ground gained in that direction. And, whenever Russian policy suffered a reverse on the Black Sea and the prize was snatched from its grasp, the movement in Central Asia was continued with renewed energy. Far as the way may seem, the eye of Russian statesmanship perceives at the end of it, where no European Power can interfere, the gleam of the open sea. And if the ocean cannot be reached through the Dardanelles, it may yet be found, after many struggles, at the mouths of the Indus. Simultaneously with the seizure and settlement of Siberia, Russia moved a step forward in Central Asia, occupying first of all, in the sixth decade of the nineteenth century, the stretches of land to the east and southeast of the Aral Sea. The territory of Tashkent became the Russian province of Turkestan, Bokhara was reduced to a vassal state. The Russians had arrived at the frontier of Afghanistan; they had enveloped Khiva and the land of the Turkomans between the Caspian and the Aral Seas. In 1873 Khiva bent to the yoke and became, like Bokhara, a Russian vassal state. Khokand, which lies between Tashkent and the Chinese frontier, was subjected in 1876 and, together

with a strip of land which was torn from China, incorporated in the Russian Empire as the province of Ferghana. And when the Berlin Congress dispelled the Russian dream of a Balkan dominion, at the very moment when British influence was making rapid strides in Afghanistan, Tsar Alexander II despatched General Skobeleff to Central Asia. To the impetuous courage of that great general succumbed the last free tribes of the Turkomans between the Amu-Daria and the Persian frontier.

Since 1885 Afghanistan alone has separated Russia from India, and the rapid development of affairs justified Field-Marshal von Moltke, the far-seeing man, to whom it was my duty to set forth the details of the situation, in pronouncing the warning quoted above.

Moltke, however, did not mean that Russia, then but just arrived at the foot of the Asiatic mountains which divide her steppes from the ocean, would at once begin her advance over the passes of Hindu-Kush and of Kohi-Baba, the Parapomisus of olden days. He knew that years of preparation are required for such an undertaking, and that Russia must first accomplish the task of converting the tribes of Turkestan, whom the sword had subdued, into trustworthy members of the Empire. The Russian, fortunately for himself, is brilliantly qualified for the process of transforming the half-savage Asiatic natives on his borders into Russian subjects. In character he is akin to them. He makes no attempt to superimpose on them an alien civilization. He permits them to retain their customs and their religion, lives with them as one of themselves, and demands practically nothing more than recognition of the sovereignty of the Tsar and military obedience. And if, for the purpose of enforcing obedience, he occasionally strikes out with his knout or sword, that is merely what they have learned to expect from their former rulers. How completely the process of Russification was effected in the Caucasus, after the military resistance had been crushed, is a matter of common knowledge. The proud Circassian and Mingrelian chieftains are now Russian subjects. They serve in the Imperial Guards and command Russian regiments, and their sons are trained as members of the Corps of Pages at the Court of St. Petersburg. In Turkestan, the difficulties with which the Russian Government had to cope were far less than in the Caucasus; and to-day the whole of that extensive territory,

which includes the vassal states of Khiva and Bokhara, may be regarded as loyal. Experience, however, had taught the Russians that it was impossible to operate with large masses of troops in regions at once so inhospitable, so arid and so scantily populated. Even the comparatively small forces with which Generals Kaufmann and Skobeleff had made their conquests necessitated a train of thousands of camels. Beasts of burden in sufficient numbers for a large army, which would be compelled to carry with it, not only ammunition and provisions, but also its own supply of water, simply could not be obtained; and, in view of the scarcity of water, not even the construction of roads could be deemed an adequate measure for overcoming the obstacles to an expedition on a grand scale. Only railways could help. This fact was no sooner appreciated than lines were constructed, regardless of cost and human labor. A considerable time has already elapsed since traffic was opened on the sections—both of which are over six hundred miles in length—from Krasnovodsk on the Caspian Sea, *viâ* Merv, to Kushk, which is in reality situated on Afghan soil, and from Merv, *viâ* Bokhara, to Andijan in the province of Ferghana, near the Chinese frontier, with a branch line to Tashkent. These railways open up the most important parts of the country and render possible the speedy concentration of all the garrisons at Merv and Kushk. The starting-point of the line on the Caspian does not, it is true, connect directly with the railway system of European Russia; the junction is effected by means of sea transport from Astrakhan and Baku, and entails much loss of time. In the summer of this year, however, the great work of establishing a through connection was at last accomplished by the completion of a line, which is some twelve hundred miles in length, from Orenburg to Tashkent. The Russians are also laboring industriously on the section from Samarkand to Amu-Daria, as well as on the bridge which is to span that river. Through Persia, tracings are further being made of lines which are designed to join with the Caucasian system, and to enable the Russians to dispense with the Caspian Sea as a means of transport, and to directly menace Seistan on the Afghan frontier. When the moment for action arrives, Russia, therefore, will be capable, is indeed already capable, of transporting her soldiers—in any numbers—in unbroken succession to Turkestan.

The railways to Turkestan were built in the hope neither of gain, nor of creating a traffic that might ultimately repay the costs of construction. The funds were provided by the State and soldiers laid the lines, which are designed to subserve purely military ends. It is possible that the works would have been promoted still more rapidly, and have proved a source of anxiety to India and Great Britain long ago, if Russia during the past fifteen years had not been engaged in a grander project, the Siberian Railway, which was begun in 1892, and which it was hoped would lead the way to a warm-water port on the Pacific Ocean. The endless wastes of Siberia presented even greater obstacles than Central Asia to the engineer, but they are Russian territory and they end in a Russian harbor. No enemy, so it seemed, would be able to cry "Halt," when, the line to Vladivostok being completed, the time should arrive for crossing the Manchurian frontier, and for carving out of the impotent Chinese Empire the land required to reach an ice-free port.

That British statesmen would not welcome the Russian plan with enthusiasm was clear, for its goal was to found a predominant naval position on the Pacific Ocean. But the longing for expansion in St. Petersburg outweighed all objections. It was doubtless calculated that British resistance to the scheme would be relinquished, in the perception that its effect would be to deflect the Russian peril from India to the Far East. Moreover, when the railway had reached the Baikal Lake, Great Britain became involved in the South-African war. The world was seized with astonishment at the failure of Russia to exploit the opportunity for a forward move in Afghanistan. Dynastic influences were possibly responsible in part for this, though it is more than probable that the St. Petersburg Cabinet relied upon its peaceful attitude in Central Asia to win for it a free hand in the East. It is, at any rate, significant that, when Russia showed signs of a determination to sit down in Manchuria, the British Government, notwithstanding reiterated warnings in Parliament, deliberately shut their eyes to the omission of Russia to evacuate Chinese territory in accordance with her promise. True it is that the conclusion of the first Anglo-Japanese treaty falls within this period, and that Great Britain may, even then, have regarded that instrument as a means of circumventing the Russian plans.

Russia, certainly, had never expected to encounter in the Far East any opponent other than Great Britain whom she would have to fear. Her error was pardonable; for, at the commencement of the nineties, the defenceless condition of China and Korea was notorious and little or nothing was known of the power of Japanese ambitions.

The Chino-Japanese War in 1894 and 1895, which suddenly revealed the existence of a Japanese army, organized and drilled on German principles and armed with breech-loaders and modern artillery, ought certainly to have opened the eyes of Russia; and there can be no doubt that the unexpected event did create an impression in St. Petersburg. But the situation was falsely gauged. The diplomatic success, embodied in the Peace of Shimonoseki, which deprived the Japanese of their booty, and the faint powers of resistance shown by the Chinese, lent to the Japanese victory an appearance of insignificance, and misled the Russians into underestimating their opponent.

This great and decisive error in the calculations of Russian diplomacy has been terribly punished. The Japanese, indefatigable in the pursuit of their goal, attacked the Russians at a moment when the Siberian Railway was still uncompleted and their maritime forces in a condition of inferiority; and, despite many mistakes on the part of their Generals, the armies of the Mikado gained a decisive victory. The Russian scheme to obtain a port on an open, ice-free sea has again been frustrated, and henceforth a Great Power stands as guardian before the doors of Manchuria.

In reviewing the newly created situation, it is of the first importance to observe the parts played by the United States and Great Britain at the conclusion of the war.

The powerful influence exercised by the Union is evident to all the world, and will inevitably augment the international prestige of the Republic. But for the representations so perseveringly addressed to both belligerents by America, it is probable that peace would not yet have been concluded. To all appearances President Roosevelt was inspired in part by noble motives of humanity; but his conduct was mainly determined by the interests of his country. And those interests have been materially furthered by the decisive word that America spoke. For the peace accords with the desires of commerce and industry;

it opens doors that were closed during the war, and has already stirred into activity the commercial relations with China which had come to a standstill. But the reasons of the almost imperious attitude assumed by the United States are not exhausted by these considerations. President Roosevelt undoubtedly apprehended undesirable consequences to America from a continuation of the war. Would his fears have been realized, if the fortunes of the war could have been changed? Hardly. Russia's enterprise, even in that case, would not have been saved, for her fleet was destroyed. Within a reasonable time she could, in no circumstances, become a rival of the United States. Henceforth Japan is the only Power whose future influence on the Philippines can be a source of misgiving. A Russian victory might have reduced the Japanese conditions of peace to a more modest standard, and at the same time have created an equipoise of Russian and Japanese power, which could bring nothing but advantage to America.

But was there the slightest prospect of a Russian victory? The apprehension was only too well founded that a new, perhaps still more complete, victory on the part of Japan than Mukden would have increased the Japanese demands indefinitely, and rendered her for a long time to come undisputed Mistress of East Asia. It therefore seemed wise to utilize the opportunity of checking her course.

The policy of Great Britain in this affair is less transparent than that of America. It has been asserted, on many sides, that England promised herself greater benefits from a continuation of the war than from its termination. The sagacious statesmen of Downing Street must have perceived, just as clearly as those at Washington, that further Japanese victories were not required for the destruction of Russia's ambitions in East Asia; and they were doubtless convinced that a decisive change at the theatre of war in favor of Russia was quite improbable, that the destruction of the fleet was sufficient to remove forever the danger of Russian predominance in Asiatic waters. Japanese arms had accomplished everything that could have been hoped for in the interests of Great Britain from the war.

A further extension of Japanese power cannot be desired by the British Government. If, therefore, the wish existed in London that the war should be continued, it must have been due

to the belief that Japan, far from achieving any further essential success, would be compelled by a prolongation of hostilities so to weaken her resources as to render her dependent, for a long time to come, on the friendship of Great Britain.

The goal of British and American policy, therefore, was identical; the difference of view apparently was concerned merely with the means by which it was to be attained. Perhaps the fulfilment of the alleged British wish would have exercised the stronger effect, though from the standpoint of Christianity and humanity it would have been regrettable.

It is, however, certain that Great Britain let fall no word or hint that Japan might have regarded as an encouragement to continue the war. A sound policy is conducted not by words but by deeds. With wise foresight, and before affairs in Manchuria had come to a conclusion, Great Britain signified to Japan her readiness to agree to the prolongation and extension of the Alliance, without of course assuming any fresh responsibilities in the existing war. It was conceivable that the benefits of the new Alliance, which places the future of Japan on a firm basis, might have stiffened the neck of the authorities in Tokio to such a degree as to render them deaf to the voices of President Roosevelt and of the Russian plenipotentiaries. In any case, the hand proffered in such circumstances ensures to the British the friendship of the Japanese people, a predominant influence in East-Asiatic affairs and rich profits of a material character. For Japan will very naturally apply in the first place to Great Britain for help in obtaining supplies of the money which she requires for the reestablishment and development of her finances; and it is from Great Britain that she will import those industrial products which she is herself unable to manufacture, and with which she is unable to dispense, for the renovation of her materials of warfare and the exploitation of her natural resources.

It is upon the Anglo-Japanese Alliance that the future of Asia now undoubtedly rests. The treaty ensures to Japan the results of her war with Russia, and enables her to look forward with confidence to a period of gratifying development. It also relieves Great Britain of her immediate anxiety for the safety of India.

What is the nature of the protection which the Japanese Treaty is capable of securing to India?

We are aware of the persistence with which Russia, for more than a century, has pushed forward her frontiers in Central Asia, and we remember the warning uttered by Moltke. The work of the last twenty years has removed the obstacles which formerly prevented the concentration of a Russian army in Turkestan. In times of peace there are stationed there two army corps, the war strength of which amounts to about 70,000 men. A few months would now suffice to bring a vast army up to the Afghan frontier, and it would be scarcely surprising if Russia, seeing that the way to the Manchurian coast is effectively blocked, should now revive her old plans in Central Asia. For the moment, it is true, the internal troubles of the Empire render scarcely practicable the vigorous pursuit of the expansionist policy; but, in considering the great features of the world's history, we are not concerned with brief spans of time.

The statesmen of Great Britain, consequently, are fully justified in hastily making every possible preparation for the security of the Indian Empire. Lord Kitchener has reorganized the Anglo-Indian forces in a manner which, with the aid of the well-developed railway system, will guarantee the effective concentration of 140,000 trustworthy troops on the northwest frontier. Behind this army stands a small number of reserves, in addition to a sufficiency of formations to ensure in the judgment of experts the suppression of any native rising. The frontier passes are strongly fortified and they can be reinforced within four or five weeks. The British Premier declared, however, in his speech of May 11th in the House of Commons, that Lord Kitchener would require the support of eight British divisions (about 120,000 men) to enable him to repel every attack on India. After the experiences of South Africa and in view of the difficulty of recruiting the British army of mercenaries, in view also of the possibility that the whole or a part of the army would be required elsewhere or at home, Kitchener's demand was calculated to occasion deep anxiety in the hearts of his countrymen. From this burden Great Britain hopes to liberate herself by means of the alliance with Japan. The Japanese divisions could in fact be brought to the front with greater speed than the British troops from home, and long before the Russian columns could possibly complete their toilsome journey across Afghanistan. It almost seems, indeed, as if the Indian

frontier is secured for an indefinite period against a Russian attack. But—and this is the *crux* of the situation—the danger does not exist in the form of an attack on India. At that same sitting of the House of Commons, Mr. Balfour further declared that any attempt on the part of Russia to extend her railway system into Afghan territory would necessarily be regarded as an act of hostility against Great Britain, as a blow intentionally directed against the British dominion in India. No British Government, he said, could tolerate the construction in times of peace of a railway in Afghanistan. The British Premier was right. For it is not the rapid belligerent advance of a Russian army that is to be feared; but the slow, continuous forward movement that would begin with the extension of the Russian railway to Herat. Now, Herat is barely forty miles from the Russian terminus at Kushk; and at Kushk rails and sleepers have lain in readiness for many years past. When, regardless of Mr. Balfour's threat, the first sleeper is fixed on Afghan soil, nothing will remain for Great Britain to do but to declare war. A blockade of the Russian ports would scarcely put a stop to the enterprise. A British offensive in Afghanistan could alone do that. Is the strength of Great Britain equal to such a task? It would be necessary for her troops to traverse more than three hundred and seventy miles—along the ancient caravan road which leads past Kandahar, or along the mountain foot-paths over Cabul through a barren, bleak country devoid of resources—in order to reach the Russian frontier. The hundreds of thousands of soldiers would be followed by a hundred thousand carriers and beasts of burden; and on the northern frontier of Afghanistan they would encounter the untired enemy, whose base would be supported by two railways, and whom, after a victorious battle, it would be impossible to pursue.

Is it probable that any considerable Japanese force will take part in such a campaign? Henceforth Japan has her own land frontier to protect. The enemy, against whom it is proposed to levy the Japanese auxiliaries, would certainly not hesitate to make his superiority felt at every point. Undoubtedly, he would concentrate a large army in Manchuria and on the Korean frontier. The Japanese are possessed of no superfluity of troops such as would enable them to conduct a campaign simultaneously in Eastern and Central Asia. They will therefore be concerned,

first of all, to arm themselves against the danger which threatens their possessions in Korea and Liao-tung.

Melancholy prospects these, in sooth, for the armed assistance required by Great Britain from her yellow ally! On closer consideration it appears, indeed, that the British hope rests on no solid foundation, and that this point of the treaty is not invested with the great significance which the world was at first inclined to attribute to it.

The question may still be mooted why Russia should adhere so obstinately to the route over Afghanistan. Might she not reach the sea sooner along the shorter route to the Persian Gulf? Assuredly; but in front of the exit to the Indian Ocean would stand, as before the Dardanelles, an insuperable barrier in the shape of the British fleet. If, on the other hand, by gradually pushing forward her railway she could arrive at the coast of the Gulf of Oman, then her superior land power would control the situation. Anxiety for India would then compel Great Britain to tolerate the construction of a Russian naval base.

Russia's goal still lies in the far distance, and decades will possibly pass before it is attained. But Great Britain seems determined to prevent the first step towards it; and this is the reason why Kushk and Herat may be already said to constitute the focal-point of Asiatic affairs. For the idea that has recently been advanced—that Russia, whom Great Britain has treated with such hostility, may be turned from her goal by the renunciation on the part of that country of all opposition to the opening of the Dardanelles—does not appear to promise any tangible results. Great Britain can no more make a present of the Dardanelles than she could of Morocco. Russia would be obliged, in order to reach the Dardanelles, first to overcome the dominion of the Sultan; and she will presumably elect to follow up her chances in Central Asia rather than engage in a new war of conquest against Turkey. Neither diplomatic arts, money, threats, nor even the British army on the Indus can avert the fate of the Buffer State, Afghanistan, which civilized Great Britain would deprive of the blessings of roads and railways.

The ultimate victory is on the side of the spirit of progress, which, moving forth from the Russian steppes, is destined to bind Afghanistan, with girders of iron, irrevocably to the Empire of the Tsar.

VON ALTEN.

A BIRD'S-EYE VIEW OF THE CONDITION OF THE JEWS IN PAST AND PRESENT.

BY ISIDORE SINGER.

In September, 1654, a party of twenty-three Jewish fugitives from Brazil arrived in the "Santa Catarina" at New Amsterdam, and formed there the first avowedly Jewish settlement within the limits of the present United States. In 1880, one year before the Russian Exodus, the city of New York possessed a Jewish population of not more than 60,000. To-day its Jewish inhabitants number about 750,000, this extraordinary increase disclosing the enormous influence of the anti-Jewish policy of the Government of the house of Romanoff upon the ethnical composition of the metropolis of the American continent, as well as upon the evolution of American Judaism and the ultimate destinies of the Jewish people in general; for there can be no doubt whatever that in the very near future the Russian Jew will assume the leadership of the Jewish commonwealth of the United States, while his German brother will have to be satisfied with a second place. Since American Jewry, representing as it does in its cosmopolitan composition the strongest elements of the ancient house of Israel, is bound to elaborate gradually a religious system of its own, both the lifeless Synagogue of Western Europe and the bulwarks of old-time orthodoxy in Russia, Galicia, and the Orient will alike have to yield sooner or later to the influence of the new-fashioned trans-Atlantic Judaism. The Russo-Japanese war, together with the recent revolutionary upheavals in the Russian Empire, have undoubtedly further contributed to a disintegration of the compact group of 5,189,401 (1897) Hebrews who are crowding the Pale of Settlement and the former kingdom of Poland, and sending out continually new types of pilgrim fathers in all directions.

It will, therefore, be not uninstructive to present, as supplementary to Professor Abram Isaacs's article in the last issue of this REVIEW, a few salient facts about the past history and the present of the Jew in the different countries of the world.

I.

The post-Christian life of the Jewish people may conveniently be divided into four epochs.

(1) The first of these, with Babylonia as the spiritual and semipolitical centre, lasted from 70 to 711 A.D. — from the annihilation of the national Jewish independence to the invasion of Europe by the Arabs. While the bulk of the Jewish population was grouped around the Babylonian academies and their Princes of the Exile, a great many of them were scattered throughout Palestine, Egypt, Spain, Arabia and Southern France, with a few sporadic settlements in England, on the Rhine, Italy and the countries bordering on, as well as the islands in, the Mediterranean. In that happy period, the sons of Shem were able to follow almost every vocation, and their relations with their Gentile fellow citizens were on the whole cordial. The anti-Jewish legislation of this epoch bears in many respects a merely theoretical character. The principal literary achievements of the synagogue were the bulky volumes of the two Talmuds, the Palestinian and the Babylonian, which may be regarded as analogous to the patristic literature of the Church. While the latter, however, has become exclusively an object of study by a few hundreds of theologians and historians, the Talmud is still venerated by more than half of the Jewish population, scrupulously observing its religious and legal prescriptions.

(2) This happy epoch of 641 years was followed by one of almost equal duration and more than equal brilliancy, ending with the fateful triennium, 1348-1351, when the Asiatic pestilence, known as the Black Death, brought by sailors to Genoa from southeastern Russia, carried off nearly half the population of Europe. Although the Jews suffered as much as their Christian brothers, the absurd accusation was made, and found ready credence among the ignorant and superstitious masses, that the Jews had poisoned the public wells! Up to 1348, the Jews continued to enjoy liberty and prosperity; and the intellectual acme of the Jewish Diaspora was reached in Arabic Spain, whose great-

est scholars and statesmen were recruited among the Hebrews. Flourishing Jewish communities were to be found in North Africa, Italy, France, Germany as far as the Elbe River, England, Poland and on the Black Sea, where the independent Jewish kingdom of the Chazars presented the semblance of a revival of the Jewish nationality.

(3) The 441 years from 1348 to the French Revolution (1789) may fitly be designated the Dark Ages of Jewish history. The Jews were considered and treated as foreigners, and even as enemies alike of the State and Church. Banished from country to country, from city to city, they were obliged to herd together in restricted quarters, and to wear a special dress as a sign of infamy. Their commercial and social ruin was, quite naturally, accompanied by a spiritual lethargy, which was only broken when, almost simultaneously with the walls of the Bastile, those of the Ghetti fell.

(4) The fourth period, that of the Jewish Renaissance, inaugurated by Moses Mendelssohn (1729-1786) and his disciples, brought, at least to the Jews of Central and Western Europe, the blessings of political emancipation and economic freedom. That they profited by both, being enabled to share, in almost every nook and corner of the inhabited globe, in the rights and duties of an enlightened citizenhood, will appear from the following résumé.

II.

The total number of Jews at the present day, according to the most reliable sources, is 11,118,224. Their number in Russia has been given above. The five other European countries possessing over 100,000 Jews each are: Austria-Hungary (1900: 2,076,277), Germany (1901: 586,948), Rumania (1899: 269,-015), Great Britain (250,000), and Holland (1899: 103,988). There are six countries of Europe with a Jewish population exceeding 10,000: namely, France (86,885), European Turkey including Constantinople (188,896), Italy (1901: 34,653), Bulgaria and East Rumelia (1900: 33,717), Switzerland (1900: 12,551) and Belgium (12,000). The remaining European countries have a total Jewish population of 39,793, Greece (8,350), and Cyprus with Malta (130), occupying the two extremes in this group.

The Jewish population of the United States amounts at pres-

ent in round figures to 1,500,000, while Canada and British Columbia are rated at 30,000, the Argentine Republic at 30,000, Cuba at 4,000, Brazil at 3,000, Mexico at 1,000, Venezuela at 411 and Costa Rica at 43—the number for the entire American continent being 1,574,022.

Asia is inhabited by about 380,000 Jews, 89,612 of whom are still residing in the ancient home of their race, Palestine and Syria, while Persia, the land of the first historic anti-Semite, Haman, numbers 35,000; and Arabia, whose first Jewish settlements date back to the time of the destruction of the Second Temple, possesses 45,000. Probably few readers are aware that Siberia and India harbor 34,447 and 21,000 Jews, respectively, and that even China and Japan have 2,000 within their borders.

Africa has only 17,322 Jews less than Asia; Morocco heading the list with 150,000; Algiers coming next with (1900) about 50,000, while old Mizrayim (Egypt), with 21,800 descendants of its Hebrew slaves of 3,000 years ago, has been outnumbered to the extent of 8,000 by South Africa.

If, for the sake of completeness, the relatively insignificant Australasian item of 17,000 be included, we have before us all the present-day numerical statistics of that race whose first census was undertaken by divine command in the second year after they (the children of Israel) were come out of the land of Egypt: "And the Lord spake unto Moses in the wilderness of Sinai: Take ye the sum of all the congregation of the children of Israel after their families, by the house of their fathers, with the number of their names, every male by their polls" (Numbers I, 1-2).

III.

To present, even in the most rudimentary form, a systematic outline of the life-story of the entire household of Jacob would far exceed the limits of this article; it is therefore proposed to take merely a bird's-eye view of the less-known Jewries of the world, submitting only data based on reliable sources.

The cradle of American Judaism was *Brazil.* As early as 1548—*i. e.,* seventeen years after the first permanent Portuguese settlement in that country—a group of Jews, banished by the Inquisition of Portugal, landed there, almost immediately after their arrival introducing the sugar-cane, thus confirming anew the two historical facts that the American continent has been

almost from its very discovery the refuge of victims of religious persecution, and that the Jewish settler always seeks to be useful to his adopted fatherland. Pernambuco having been captured by the Dutch in 1631, most of the Jews and Neo-Christians from Bahia and other Brazilian towns removed to that city, full religious liberty being offered there to all colonists. There remained, nevertheless, important Jewish settlements in Tamarico, Hamaraca, Rio de Janeiro and Parahiba. When Pernambuco was recaptured in 1654 by the Portuguese, it harbored a Jewish population of more than 5,000. Many of these removed to Surinam, where their descendants, together with new arrivals, still live to the number of 1,121, a group of 23 having sailed for New Amsterdam, as stated above, and the remainder to the various West-Indian Islands. To-day, the Jews of Brazil number about 3,000, but they have no congregation of importance; and, unless they are redeemed within the next decades by sincerely pious immigrants, it is more than probable that they will disappear among the Christian population, adding a new item to the list of 204,000 who left the ranks of Judaism during the nineteenth century.

The relations of the Jewish race with the "Queen of the Antilles" date from the very discovery of the island by Columbus in 1492; for not only did Luis de Santangel, Gabriel Sanchez and Juan Cabrero, all three of them of Jewish descent, urge upon Queen Isabella the importance of the plans of Columbus, and assist in securing funds for his first and second voyages, but at least five persons of Jewish blood accompanied the great discoverer upon his first voyage. Moreover, it was a Jew, Luis de Torres, who served as interpreter to the expedition, and who was the first European to tread the soil of America on the memorable October morning which opened a new chapter in the history of the world. The Spanish Inquisition, which flourished in Cuba up to the beginning of the nineteenth century, prevented the establishment of a Jewish settlement on the island. Prior to the Spanish-American War, there lived a number of Jewish merchants, most of them trading in tobacco, in Havana and a few other towns on the coast. Since then, the number of Jewish residents has increased and they now number about 1,000.

Jamaica, being a British island (since 1655) and under the lenient rule of a liberal government, naturally possessed at an

early date a flourishing Jewish colony. The latter was considered by Oliver Cromwell as one of the most important factors in the establishment of his ambitious British colonial policy. After the Dutch capitulation of Pernambuco, in 1654, a number of Jews took refuge in Jamaica; and twenty-one years later, when the English, in their turn, had to abandon Surinam, some of the Jews of that colony emigrated to the same island. As early as 1831, Jamaica led the way for Great Britain and all its colonies in the abolition of the last traces of Jewish disabilities. The long list of Jews appointed since that date to civil and military offices in Jamaica served Sir Francis Goldsmid in 1838 as a strong argument in favor of Jewish emancipation in the Mother Country. In 1849, Dr. C. M. Morales, a Jew, was elected Speaker of the colonial assembly of Jamaica. The Spanish-Portuguese synagogue of Kingston, dating from 1750, was destroyed by fire in 1882, but rebuilt two years later. The English-German house of prayer, built in 1789, was replaced in 1837 by a new structure. In December, 1900, the two principal congregations of Kingston, in view of the decrease of the Jewish population, arranged to worship under one roof.

Crossing the Atlantic *en route* for the old Orient, where from time immemorial lived Shem in his own tents and in those of his brethren Ham and Japhet, let us linger awhile on the famous rock of Gibraltar, over whose summits in 711 the Saracen Tarik ben Zeyad introduced Arabian culture into Roman Spain, preparing for Israel a new home, the third centre of genuine Jewish culture, the first two having been Palestine itself and Babylonia. Jews appear to have settled in Gibraltar shortly after its occupation by the British in 1704; but, centuries before, it had already been a city of refuge for the Maranos or secret Jews of the Peninsula, and as early as 1473 a proposal was made to hand it over to them. The Jews of Gibraltar soon became the commercial intermediaries between their home and England on the one side, and Morocco on the other. In the early part of the nineteenth century, they often ransomed Jewish prisoners from the Dey of Algiers. The Jewish population, which was 1,533 in 1878, is now estimated at 9,400. The community has several synagogues and three schools.

An hour's ride by steamer from Gibraltar is the coast of Morocco, the old Roman province Mauritania Tingitana. According

to old traditions still credited by the Berber Jews of the Atlas and Rif Mountains, and which have been supported by Hebrew inscriptions lately found in the province of Fez, this territory was settled by Jewish colonists during the reign of King Solomon. At the end of the seventh century, A.D., the Arabic conquerors in northwestern Africa were vehemently opposed by many powerful Berber tribes professing Judaism. Like Deborah of old, the Berber Jewess, Dahiyah Kahina, aroused her people to a last though fruitless resistance to the Arab general, Hasan ibn Numan; and she herself (703) died the death of a heroine. Her descendants and those of her contemporaries, in spite of the liberal Imperial decrees of 1864 and 1880, are forced to live in special quarters, called "Mellahs," and they enjoy neither social nor civil equality. Only those who are placed under the protection of European Governments are granted the most elementary rights as men and citizens.

Traversing the Sahara and the Sudan, we reach that beautiful and mysterious Switzerland of the African continent, Abyssinia, among whose Jews, known as "Falashas," a tradition similar to that of their Moroccan coreligionists is preserved. According to this, their ancestors left Jerusalem in the retinue of Menelek, son of King Solomon and the Queen of Sheba. But the French Orientalist, Joseph Halévy, who visited the Falashas in 1868, thinks that the elements among them of Hebrew origin are the descendants of the Himyarites captured in Ethiopia by King Kaleb, conqueror of the Jewish king of Yemen. The Jews of Abyssinia are generally darker and more corpulent than the Amharas, from whom they are further distinguished by shorter and often curly hair and smaller eyes. Externally, they live the same life and speak the same languages as the other subjects of the Ethiopian ruler. The Roman toga is their gala-dress; during work they wear short trousers or a waist-cloth descending to the knees. For out-of-door wear, the women put on a simple long linen garment edged with different colors. Laymen have no head-dress, shaving usually their head, while their Kohanim (rabbis and ritual slaughterers) wear turbans like the Christian priests. The woman is the equal of the man. The children are instructed in reading the Bible (especially the Psalter), in sacred history, and in the recital of prayers. Their religion is pure Mosaism based upon the Ethiopian version of

the Pentateuch, whose original language is as absolutely unknown to them as the Talmud and the later Rabbinic literature, although there are a few points in contact between Falasha on the one hand and Rabbinic, Karaite and Samaritan observances on the other. They keep the Sabbath (called by them "Sanbat Kadmaï") religiously, neither lighting a fire nor crossing a river on that day. They believe Sanbat to be an angel who will guide them back to Jerusalem on the arrival of the Messiah.

Through the Bab-el-Mandeb we now pass on to Bokhara, the capital of the Khanate of the same name. Here again tradition takes us back to Biblical times, the Jewish inhabitants claiming to be the descendants of the Ten Tribes, and identifying the Biblical "Habor" (II Kings xvii, 6) with the name Bokhara. No authentic account of Bokhara Jews has been preserved previous to Yusuf Yehudi, the poet (died 1755), whose Persian poem on the Seven Martyrs, based upon the second book of Maccabees, is still popular among them. The first European to visit this distant branch of the tribe of Judah was the Jewish convert and missionary Joseph Wolff, according to whom the Jews of Bokhara numbered, about sixty years ago, 10,000 souls, mostly dyers and silk merchants. They wore fur caps of a prescribed shape, and girded themselves with a rope in order to be distinguished from the Mohammedan Tatars. Strange to say, the Russian occupation of Bokhara in the sixties brought comparative freedom to its Jews, who until 1863, when the country was opened up to Europeans, had been treated by their Emirs like pariahs. Lord Curzon, the late Viceroy of India, who visited Bokhara in 1888, pays, in his "Russia in Central Asia," a graceful tribute to the physical beauty of the Jews of this country. In 1893, the Jews of Bokhara founded at Jerusalem a settlement now possessing nearly 200 houses, two synagogues, and two schools, which has developed into a kind of intellectual centre for the Jewish population at home, numbering at present about 20,000.

Let us now cross the Pamir Plateau and penetrate one of the oldest seats of human culture, the immense and mysterious complex of countries, races and sects, called India, whose Imperial crown was laid twenty-eight years ago at the feet of Queen Victoria by her Jewish Prime Minister, Benjamin Disraeli. Neither Lord Minto nor any of his successors in the Viceregal

palace at Calcutta, at least in the course of the twentieth century, will have to issue an anti-Alien Law as far as Jewish immigration is concerned; for, according to the census of 1901, not more than 21,000 Hebrews were to be found among a population of 280,000,000. Without pretending that the genealogy of the first ancestors of this small Jewish colony can be authentically traced back to the sailors of the navies of Kings Hiram and Solomon, who "brought gold and silver, ivory, and apes and peacocks" (I Kings x, 22) to Palestine, we may point out the relative antiquity of some of the settlements of the Beni Israel on Indian soil. The Jews of India are divided into two groups, the White and Black; the former including the so-called "Jerusalem Jews" of Cochin, who claim that their ancestors arrived on the coast of Malabar soon after the destruction of the Temple, while the Black are converts of the Hindu tribes, or the offspring of marriages between Jews and natives. The famous Jewish traveller, Benjamin of Tudela, whose journey was undertaken between 1160 and 1174, describes the Black Jews, of whom he found about 1,000 families, as "honest people, strictly following the law of Moses and studying zealously the Talmud." In 1523, the Mohammedans drove the Jews, after killing many and destroying their synagogues, from Crangamore, whose site is even to this day avoided by the Beni Israel. David Sassoon became in the middle of the nineteenth century the Mayer Amshel Rothschild of India; and nearly all of the Jews of Bombay were then dependent upon his family for their livelihood. This interesting Asiatic group of Hebrews, speaking Mahratti, Malayalam, Arabic and Persian, has been recently augmented by immigrants from Austria, Germany and Rumania, who have introduced the German rite into their synagogues.

Strange as the history of the Jewish settlements in Abyssinia, Bokhara and India may appear, that of the Jewish colony in China is still more romantic. Until quite recently hardly one in 10,000 educated Jews had the slightest notion of its very existence. The Jews of the Celestial Empire, called by the Chinese "*Tiao Kiu Kiao*" ("the sect which extracts the sinews," after Gen. xxxii, 32), trace their first immigration back to the Han dynasty, or, more exactly, to the reign of Hang Ming-ti (58-76 A.D.). Only a few isolated facts are known concerning their history during the Middle Ages. In 884, they, to-

gether with Mohammedans, Christians and Persians, were implicated in the revolt of Baichu; it is further probable that, between 960 and 1126, a new Jewish colony came to China by sea from India. Marco Polo refers to the powerful political and commercial influence of the Jews in China in 1286. In 1354, on account of several insurrections, Jews were invited to the capital to join the army. Throughout the Middle Ages, the European Jews had no knowledge of the existence of Jews in China. It was through Catholic missionaries, in the seventeenth century, that the existence of a Jewish community of from 5,000 to 6,000 members in Kai-Fung-Fu and other cities of China was made known. The inscriptions in Chinese found on the marble tablets of the ancient synagogue of Kai-Fung-Fu, and dated 1489, 1512 and 1663, respectively, throw unexpected light upon this hitherto entirely unknown chapter of Jewish history. The episode, at the beginning of the seventeenth century, of the Jesuit priest, Father Matteo Ricci, and the young Chinese Jew who, seeing at the mission the portrait of the Virgin with the infant Jesus, believed it to be Rebekah with Esau or Jacob, is certainly one of the most interesting in the religious history of mankind. In 1760, Isaac Nieto, rabbi of London, addressed a Hebrew letter to the Jews of China, asking for information concerning their origin and present condition. Their answer, written in Chinese and Hebrew, has unfortunately not been preserved. A letter which James Finn, British consul at Jerusalem, received in 1870 disclosed the utter destitution and religious decay of the few Chinese remnants of the house of Israel. Former attempts (1852, 1864) on the part of the Jews of England and of the United States to offer a helping hand to their far-off coreligionists failed, owing to the T'ai P'ing Rebellion, the Civil War and other causes. In 1900, the community of Kai-Fung-Fu numbered 140 souls, without a leader, a synagogue or a regular school system. It is to be hoped that the Society for the Rescue of the Chinese Jews will succeed in bringing order out of the Judeo-Chinese chaos.

In 1894, Messrs. R. H. Goldenberg and S. D. Lessner built a synagogue and established a Jewish cemetery in Nagasaki, probably the first institutions of the kind in Japan. Mr. Goldenberg married a Japanese widow, who, together with her two sons and one daughter, embraced Judaism. Nagasaki numbers about 100 Jews in a total population of 107,422.

The Hawaiian islands possess 100 Jews among 154,000 natives, Japanese and other ethnic elements. The first Jew who visited Honolulu was A. S. Grinbaum, who went there in 1856 and, a few years later, founded the firm bearing his name. In 1901, the first Jewish congregation was founded and a cemetery was consecrated in the following year. A scroll of the Law, said to be of ancient origin and which was owned by King Kalakaua, is used in the services on holidays.

IV.

Returning to the American continent, a word or two may be said of the State of California, whose Jewish settlement asserted itself for the first time as such on the Day of Atonement in the year 1849, when divine services were held on the present site of San Francisco in a tent owned by Louis Franklin, and were attended by less than ten persons. In spite of the distance between the Golden Gate in the Far West and Ellis Island, the great Eastern Gate of Hope of the New World, this little gathering grew within half a century (1901) to 17,500. At the beginning of the fifties, the founders of the great banking firms of Lazard Frères and J. and W. Seligman went peddling their modest stocks of dry-goods on the very spot where, a few decades later, a treasurer of the University of California, a regent of Stanford University, judges and Congressmen, university professors, sculptors, musicians, bankers and mine-owners, could of themselves have made up a little Jewish community of whose importance Louis Franklin certainly never dreamed.

In view of the rapid development of this and of a number of other Jewish settlements in America, many minds, generally unprejudiced against foreign races and religions, may be disposed seriously to raise the question whether there is really a danger of the Rocky Mountains and the Adirondacks being transformed some day into so many Mount Zions of the tribe of Judah, and whether the time is not near when Israel will be the lord of the treasures not only of this continent but of all others. To set at rest such fears we need only glance at the real economic state of the Jewish people, which is as a whole the poorest conglomeration of human beings on the earth.

In 1871, the percentage of Jewish poor in Budapest, Hungary, was 24.2, about the same as in London, where in 1883 no less than

11,099 out of 47,000, or 23 per cent., accepted some form of charity from the remainder of their coreligionists. In 1869, of the Jewish population of Vienna, 43 per cent. lived in two rooms or less. In 1900, there were 12,500 poor in Amsterdam, 846 in The Hague, 1,750 in Rotterdam, 663 in Groningen and 349 in Arnheim, or 16,108 in a total Jewish population of these cities amounting to 72,378, that is, 22 per cent.—and this in Holland, one of the richest countries of the world. In 1898, the Jewish Colonization Association inquired into the social condition of 709,248 Jewish families in Russia. Not less than 132,855 of them were so poor as to be obliged to apply for gratuitous azymes during the Passover festival, and 27.9 per cent. had to be classed among the dependent poor. In 1899, in Odessa, 1,880 Jewish funerals in 2,980 were free; in the same town, in 1902, no less than 48,500 out of 150,000—32.36 per cent.—of the Jewish population had to appeal for coal in the winter. Still greater is the misery among the 880,183 Jews of Galicia, Austria, the majority of whom do not know in the morning whether their families will have even the scantiest meal at noon. The daily food of the better-situated classes there consists of potatoes, dry bread and a herring; two families with from one to five children each have very often to live in one little room without furniture, being forced to sleep on the damp floor. The average weekly income per family is five gulden, equal to two and a half dollars.

These few items show that the economic status of the Jews is worse than their political position; for, while 41.6 per cent. of the total Jewish population of the globe—*i. e.*, the 4,400,000 Jews living in Austria-Hungary, Germany, Belgium, Denmark, France, Great Britain and its colonies, Italy, Switzerland and the United States—are treated, at least officially, by their respective Governments upon a footing of equality with their non-Jewish fellow citizens, hardly 10 per cent. of the Jews can be classed among the well-to-do, while nearly 30 per cent. have to be counted among the poor. In spite, however, of their extreme poverty, nowhere do the Gentiles have the Jews on their pauper-list; for it is a point of honor for the 10 per cent. of well-to-do Hebrews to give willingly of their abundance to the 30 per cent. of their unfortunate brethren. The history of the Jewish philanthropic institutions throughout the world is, indeed, one of the most brilliant chapters in the annals of Judaism. ISIDORE SINGER.

THE ENGLISH WOMEN-HUMORISTS.

BY ALICE MEYNELL.

THE legitimate kingdoms of comedy are three: humor, wit and derision. And, if English letters have been great in all the three, they have been conspicuous in humor and in derision; in good understanding and in burlesque; in the candid and in the ironic laugh; in the kind and the unkindest mirth. Humor and derision, for all their differences, have this in common—they make mirth of abnormal characters in man or woman; of the comic misadventure, the grimace of nature, or the whim of fortune. There is a popular phrase, "making game." Humor and derision both make game, and make it of persons; while wit is rather amused with ideas and language. Humor is essentially human, and the well-known whimsical history of the word shows it. Every man's "humor" was the prevalent fluid of what we now call his temperament—whether blood, or lymph, or bile, and so forth, according to the ancient physiology. His humor then is the name of his prevalent character. Next, to perceive this, to watch it, to laugh at it, took the name of humor. The transfer of the word—the act of transfer—may be caught in Ben Jonson. Social man is, in the modern phrase, "humorous"; the inflections and infractions, by others, of his social laws and by-laws (and he to look on) are the matter of his humor, his laugh—the somewhat overurged laugh of Dickens, or the slender derisive laugh of Jane Austen; for derision, too, is personal, and perhaps the most personal of the shapes of comedy. Humor and derision watch the person, face to face or askance. Wit may stroll alone, in the light of its own smiles.

In this personal and social character of derisive comedy are we to find an explanation of the truth that the comedy of women in literature is for the most part derisive? Humor is social, de-

rision is yet more social. It is social and yet exclusive. It draws close the bonds of civilization, in order the better to reach the victims of its mirthful scorn, the better to see them and to point at them the comic finger. A writer like Miss Austen, for example, who is herself tethered, has her Mrs. Bennet, her Mr. Collins, her Mrs. Elton, her Mary Musgrove, tied with the strings of custom; they are not to escape into any possible solitudes; they are absurd in the eyes of the county and the village. They are displayed within an intelligent ring giving voice to the delicate laughter of her readers. And, partly, nature made them ridiculous, but, partly also, the customs of the world, of which they were ignorant, or negligent, or imperceptive. Mrs. Bennet was not only, generally speaking, "a woman of mean understanding"; she was unable to grasp the nature of an entail. She was incapable of understanding her husband, and her husband was a man of the modern civilization of his day. He was a man with a certain property, who sat in his study, and there kept his irony dry. And an entail is a characteristic detail of social life. By the way, no better instances could be sought of humor on the one hand and of derision on the other, than the cases of two women who do not understand their husbands: Mrs. Bennet in "Pride and Prejudice," and Mrs. Tulliver in "The Mill on the Floss." Miss Austen's study of her fool is that of a bright, despising eye, amused certainly and enjoying, but animated by derision unrelaxed. Miss Austen was well aware that she made her effects by small repeated strokes. In the case of Mrs. Bennet, the repetition is the fun. The tethered Mrs. Bennet—social fool—has, as it were, to abide the iteration. One reference to the misapprehended entail would be a little ludicrous, but Mrs. Bennet is heard to make many, and the reader always applauds with a cordial laugh. Mrs. Bennet's nerves reappear, with cumulative, with progressive, effect—she is odious. The author's exquisitely moderate art, which will not do things violently, does them often; and yet only often enough; neither here is there any excess. That fine art confronts Mrs. Bennet with her husband some three or four times in the story, but all-sufficiently. The insensitive woman has entertained the cheerful and grateful reader; and then Miss Austen brings her into the study of the ironic man, and she amuses *him*. The author of "Pride and Prejudice" disapproves of that position for a husband; she tells her reader so.

None the less has she made of that household, and of the fool who is the wife in it, a masterpiece of derision.

George Eliot's fool is seen with other eyes. In the gradual history of Mrs. Tulliver's ill-luck, of the long blunder which is her whole relation—to husband, son, daughter and the unkind world—there is no phrase, no sentence, of derision. There is a vigilant, perceptive humor, with mirth in it, and with more wisdom. Of the three comedies—humor, ridicule and wit—the author of "The Mill on the Floss" takes two only—a rather sad humor, a perfectly exquisite wit. She says of her fool: "Mrs. Tulliver had lived thirteen years with her husband, yet she retained in all the freshness of her early married life a facility of saying those things which drove him in the opposite direction to the one she desired. Some minds are wonderful for keeping their bloom in this way." With the person of that fresh and tedious matron before our mind's eye, we have to applaud this keen phrase as a triumph of wit. George Eliot is, in fact, an exceedingly witty writer, a mistress of idea and language, as well as a human humorist. Of derision she is, I think, morally incapable.

The fact that her most humorous creatures are children is by itself a sign that she has no mockery. Children are not subjects of mockery; and yet who in the company of mankind is more humorous than a child? How distinct and different are the kingdoms of humor and derision, a child can show us. Who has derided a child? Literature does not recognize such an action. George Eliot, in whom nothing answers to the spur of the spirit of mockery, is able to banter a child. Few could use irony and yet take no kind of advantage of a child, as she does when she makes the little boy cry, and then repeat and improve upon his own lamentation. It is what children do. And the easy deliverance from the stress of emotion, even while the body is yet full of its manifestations, is so essentially childish that George Eliot found it also worth the notice of her attentive eyes. It is not observed in vain. At that little drama of childhood she sits a laughing spectator, charmed, not by something sentimental unlike the whimsical truth, but by the humor of the fact. If ever realism is thoroughly justified, by the way, it is in the art that deals with children; for they outstrip, or outflutter, or dodge, or evade our inventions, and all that we might have thought pretty, quaint or appropriate. They are unforeseen, and we are best occupied in

keeping a mere lookout. Tottie and the boys in "Adam Bede," Tessa's children in "Romola," the little Harry Transome and Job Tudge in "Felix Holt," and, strangest and freshest, perhaps, of all, the Hebrew children in "Daniel Deronda"—these are humorous children, studied in their natural humor, and in the accidents of their conditions, the conventions of their incongruous setting. Men and women have unwittingly made their children absurd—chiefly by dress; and the absurdity has a peculiar edge, and is keen to touch a certain tenderness in us all—in George Eliot certainly, as when she shows us Job Tudge's little body "in a ragged jacket, with a tail about two inches deep sticking out above the funniest of corduroys." There is not much written of this dear child in "Felix Holt"; let us extract a precious page:

"'Here's Job Tudge now,' said Felix, turning the little one round on his knee, . . . 'this little fist, that looks like a puff-ball and can hide nothing bigger than a gooseberry, will get large and bony, and perhaps want to clutch more than its share; these wide blue eyes, that tell me more truth than Job knows, will narrow and narrow and try to hide the truth that Job would be the better for not knowing; this little negative nose will become long and self-asserting; and this little tongue—put out thy tongue, Job!'—Job, awestruck under this ceremony, put out a little red tongue very timidly—'this tongue, hardly bigger than a rose-leaf, will get large and thick, wag out of season, do mischief, brag and cant for gain or vanity, and cut as cruelly, for all its clumsiness, as if it were a sharp-edged blade. Big Job will perhaps be naughty.' As Felix, speaking with the loud emphatic distinctness habitual to him, brought out this terribly familiar word, Job's sense of mystification became too painful: he hung his lip and began to cry. 'See there,' said Mrs. Holt, 'you're frightening the innicent child with such talk—and it's enough to frighten them that thinks themselves the safest.'"

The townsman of Treby Magna clothes his boy in a coat with a little tail; Tessa the Tuscan swaddles her child; the one with a grotesque effect, the other with something less ironical, but still —custom, whether in Italy or the East, does not remove the impression—with an involuntary touch of fun. The children of the Jewish family—the Cohens, behind whose pawnbroker shop Deronda found his prophet—are little portraits that pricked George Eliot's sense of the incongruous, in such slender form and degree as suit the comedy of childhood. They are Jacob, Adelaide Rebekah and the baby. They are little Hebrews, and Cockneys.

Their father is perfectly vulgar, and Oriental. The incongruity is ugly and strange. Deronda has to speak to Mordecai, and tells little Jacob that it is on a matter he cannot understand:

"'Can you say this?' said Jacob, immediately giving forth a string of his rote-learned Hebrew verses with a wonderful mixture of the throaty and the nasal, and nodding his small head at his hearer, with a sense of giving formidable evidence which might rather alter their mutual position. 'No, really,' said Deronda. 'I thought not,' said Jacob, performing a dance of triumph on his small scarlet legs, while he took various objects out of the deep pockets of his knickerbockers and returned them thither, as a slight hint of his resources; after which, running to the door of the workroom, he opened it wide, set his back against it, and said, 'Mordecai, here's the young swell,'—a copying of his father's phrase which seemed to him well fitted to cap the recitation of Hebrew."

This is truly a child, in spite of the adult commonness that colors his natural vanity, and George Eliot is never less than tender with her little Jew. But of the Tottie of "Adam Bede" her rich tenderness makes a comedy of delight. It is characteristic of this tenderness that she can trust herself with the comedy of old age, as well as the comedy of childhood. By the side of Job Tudge stands Mrs. Holt. She is a braggart, without malice, and a fool; but George Eliot tolerates her, and puts the little boy's hand into her protecting palm. She, again, is a woman who does not understand a man, as is Lispeth in "Adam Bede," and that man—by a common irony of child-bearing—her son.

Felix Holt will neither live nor let his mother live by the sale of a "cancer cure":

"'When everybody gets their due, and people's doings are spoke of on the house-tops . . . it'll be known what I've gone through with those medicines—the pounding, and the pouring, and the letting stand, and the weighing—up early and down late—there's nobody knows yet but One that's worthy to know; and the pasting o' the printed labels right side upwards.'"

Admirable is the little scene of Mrs. Holt's intrusion into the hall of the Transomes' house:

"Mrs. Holt's attention, having been directed to the squirrel which had scampered on to the head of the Silenus carrying the infant Bacchus, had been drawn to the tiny babe looked at with so much affection by the rather ugly and hairy gentleman, of whom she nevertheless spoke with reserve as of one who possibly belonged to the Transome family."

The sweet mother in "Silas Marner" is also humorous; so is the old Florentine who lets Tessa's child go astray; so is she whose false braids are snatched for the bonfire by the young angels of Fra Girolamo's march against the vanities. But George Eliot does not deride even her; she gravely disapproves the braids, deprecates them, and with Romola's voice teaches the woman a better ideal of beauty. Humorous children, besides, make possible George Eliot's humorous dogs, and undoubtedly there is a natural joke in many a dog.

Was it a true saying (hazarded but now) that literature had not committed the baseness of deriding children, or of mocking them with the comedy of ridicule? In an early "Sketch," Dickens comes near it, and Thackeray has some odious children, in "Philip" and in "Lovel the Widower." They are little snobs, formed by their parents, but Thackeray makes them personally and individually detestable, braggart, pharisaic, vulgar, fatuous and worldly. And they are comic. I think no woman-humorist has such children in any book. Miss Austen does not banter any children, but she disapproves of a certain number, assigning, with great propriety, the responsibility for their troublesome characters to the mothers who "spoilt" them. It is all very seriously, though slightly, done, and therefore not within the present subject. Those were serious times; and Miss Ferrier is as inflexible as Miss Austen. Decidedly, Susan Ferrier should have her place among the humorists. This Scottish novelist of somewhat later date than Miss Austen wasted much of her powers in romance—the costume-romance of the day, in which the hero speaks "with increasing agitation." If any one reads her now, it is for her humor, which—albeit with a little rollick all her own—weakly resembles that of much finer authors; for, like Miss Austen, she works by the iteration of little touches. Obviously, this is the method that acts admirably when the absurdity of the character is a matter of repetition. What Miss Austen does in derision with Mrs. Bennet, Miss Ferrier does in good humor with her Miss Pratt. Miss Pratt talks about one Anthony Whyte. It is not in itself very humorous to tell anecdotes of an absent and unknown Anthony, whereas Miss Austen, with the woman who complains of the entail, and the woman who "explores" in her barouche-landau, starts with something perfectly comic. Thus there is no equality in the two humorists. But, such as it is,

Miss Ferrier's comedy is well played. Custom never succeeds in preparing the reader for the freshness of irrelevancy of another and yet another anecdote of Anthony Whyte. You take the tediousness with progressive pleasure. He never appears in person, and his name ceases only with Miss Pratt. A dull Lord Rossville is not quite successful at the first description, but he shapes well in dialogue. "'Be composed,' repeated he again after a pause, his own composure becoming more and more heavy." "He was a stranger," says Miss Ferrier, "to *ennui*." Her derision is sometimes crude enough; but the following passage might have been written by Jane Austen:

"Miss St. Clair was engaged with her cousins, one of whom talked much of balls, and officers, and poetry; but as the children entered she sighed, and said there was an end to all rational conversation."

Then comes an older prattler:

"Poor Miss Mary, what a pretty creature she was once; but she has taken rather a religious turn now—to be sure, when people have lost the use of their legs, what can they do? I'm sure we ought to be thankful that we have all our faculties."

And there is some happy Scotch dialect; the good and serviceable female friend of a needy family speaks:

"Then the baby had a sad towt with its teeth; and the lass that takes care of the bairns she burnt her hand, and was not able to part them when they fought one another. I really thought Archie and Duncan would have raggit the very heads off one another, poor things."

Fanny Burney has no wit, and little humor, and her derision is no more than farcical. What is there, after all, in the comedy of her novels? Grant her that the Brangtons were the earliest of many families of vulgar relations that have put heroines to the blush in the novels of women. The modern Cockney seems to begin with one of the Brangtons in "Evelina." That family have a twang as it were before their time. For the rest of the humor Fanny Burney depends upon derision in its raw state. The elderly, the female, the fat, are upset at the wayside, nearly frightened to death, and held up, helpless, to the ferocity of farce. Besides, the derision is tedious. When Madame Duval has satisfied the horse-laugh, you are expected to have chuckles left for M. Dubois and the Captain. The little author seems to enjoy it, but her enjoyment is importunate. Here again is repetition—

there would be no joke, or little, without it; but Miss Burney's touches, though small, though weak, are not delicate. Vivacious to boisterousness and always dull, little Burney, as a comic writer, deserves a thousand deaths.

We go back now, a generation, from the humorist to the wit. When the spiritual imagination of English literature fled away upon some wandering wind, at the dying of the seventeenth century, there had been hardly a sigh of premonition. It was away, as though the seventeen strokes of the century clock had rung a recognized and inevitable hour of farewell. The diction of the wintry age took deliberate voice as the century changed. The suns and moons of poets were gone, and in their stead we had, from 1700 onwards, "purity of style." Purity of style, like simplicity, is of two kinds—one negatively and one positively admirable. And even the negatively pure is not without its value. Turning with dismay from Steele's tragedy, we make haste to recommend purity of style to the men of the eighteenth century. For the small fancy and the little heart that are theirs can ill endure the liberty and also the responsibility of an unguarded language; they scold, and, with an outcry, mimic the passions of men, when they think themselves called to violence. Steele's tragedy is lamentable; Addison's "sublime" verse is lamentable; but they both had purity of style in the little things within their competence; and, in her place—which she, at any rate, never forsook—Lady Mary Wortley Montagu was Addisonian. It is not a little astonishing, with what small things we may learn to be not merely content, but happy, in the work of this English classic author. Even her wit—despoil it of its well-taught graces of restricted phrase, and of its own self-applause,—and is there anything left that would be worth turning in another manner? No other authors so persuade you, in good faith, to take them at their own valuing as do these men and women of the early eighteenth century. It is their peculiar pretension to do thus. Some writers have given their work to what judgment Heaven pleased; and others have pressed urgently to find a way to the reader's apprehension by any means, upon the reader's own terms. But in 1720, by mere confidence, they school us to their commonplace, in order to surprise us with their wit; and they succeed. Take, for example, Lady Mary's pleasantry in regard to the disputing ladies of Ratisbon society:

"I know that my peaceable disposition gives me a very ill figure, and that 'tis *publicly* whispered as a piece of impertinent pride in me that I have hitherto been saucily civil to everybody, as if I thought nobody good enough to quarrel with."

How pretty is this, and how willing we are to take it, with the writer's classic fatuity, as something of the best kind of irony! We become simple (with a simplicity like that named by the rustic who calls the village idiot "simple"), our taste grows pure as blankness is pure, and we take Lady Mary's little delicacy upon our tongue not without sweetness. Again, in the letter from Vienna, which gives her London friend a report of the admiration offered on the Continent to beauties approaching the years of Helen or of Cleopatra:

"I don't know what your ladyship may think of this matter, but it is a considerable comfort to me to know there is upon earth such a paradise for old women, and I am content to be insignificant at present, in the design of returning when I am fit to appear nowhere else. I cannot help lamenting on this occasion the pitiful case of too many English ladies, long since retired to prudery and ratafia, whom if their stars had luckily conducted hither, would still shine in the first rank of beauties."

Any reader loving delicate prose, for its own sake, will make haste to forego his sense of intellectual comedy, and to protest that the matter here is worthy of the animated manner and of the classic grammar, for the grammar is elegantly correct. On the other hand, we are so sure that Lady Mary was incapable of great wit, that the splendor of the invective in some of the couplets on Pope startles us when they are printed as her work. Harvey was part author, however, and beyond question those couplets are his and not hers. Humor and wit apart, Lady Mary saw nothing in the East or the West that a woman of imagination would have seen. Who shall say that imagination had not forsaken the ways of literature? Lady Mary is on her road to Adrianople and, for nearly the first time, a "landskip" gets a phrase of commendation. The country, with its vines, was gay and flourishing in her eyes, but as a thoughtful traveller she adds:

"This climate, happy as it seems, can never be preferred to England, with all its frosts and snows, while we are blessed with an easy government, under a King who makes his own happiness consist in the liberty of his people, and chooses to be looked upon rather as their father than their master. The theme would carry me far."

So would almost any platitude. Thus she hurries, from a scene in which the light and color must have been those of visions, to a George. The liveliness which is, in common report, but another name for Lady Mary Wortley Montagu, is at its best when the customs of a Court are to be described in their minor differences, but the liveliness at its best is paltry. Nor would it be possible to a richer nature or to richer eyes. In her travels she sets to work with a peculiar self-possession to describe the architecture of any building of splendor, and exercises her cold taste in the report, very much as Miss Austen, a century thereafter, was wont to cast a judicial eye upon the "disposition of wood and water" within the dominions of a landowner. Both have a kind of professional rapidity in appraising the matter, with the consciousness of correct views.

Jane Austen's views of family history are equally deliberate:

"The family of Dashwood had long been settled in Sussex. Their estate was large, and their residence was at Norland Park, in the centre of the property, where, for many generations, they had lived in so respectable a manner as to engage the general good opinion of their surrounding acquaintance."

How would a modern novelist who begins by an impressionary sentence, without a verb as like as not, endure to be compelled, by decorum, to go to work with such an initial sentence? He would never recover his "spirit." Miss Austen is quite sure of herself and of her reader. He consents to read her dull opening, and to endure the exceeding dowdiness of her unmusical words, because he knows that in the course of a page or two the Dashwoods will be deprived of some of the general good opinion of their surrounding acquaintance. Sport will be made of some of the Dashwoods, the author's derisive humor being equal to that of her kin, the earlier Philistines.

That Jane Austen works upon very small matters is hardly worth a complaint. Things are assuredly not trivial because they are small, but that which makes life, art, work trivial is triviality of relations.

Mankind lives by vital relations. With Miss Austen the relations of love, vengeance, devotion, duty, maternity, sacrifice, are trivial. There is also a perpetual relation of watchfulness, of prudence. As her persons watch one another, so does she watch them, mimicking. She realizes their colds (her female charac-

ters easily take cold), so that one seems to hear her recording them in muffled accents—but not precisely because of her sympathy. Triviality of relations amongst her persons does not prevent a kind of intensity. Lying and spite amongst the women work at close quarters. With the men we hear of a somewhat wider range: there is, in the case of one justly rejected suitor, a suspicion, a rumor, of Sunday travelling; the accusation is not exactly brought home. But the touches of her art are not invariably small; they are trivial, but they are now and then as honestly exaggerated as those of the inferior humorists: for example, "Lady Middleton resigned herself with all the philosophy of a well-bred woman, contenting herself with merely giving her husband a gentle reprimand on the subject five or six times every day." But it is by her own reiteration that she produces a much finer effect with her Mr. Woodhouse, in whose eyes every woman having the good luck to marry out of his tedious house is a "poor dear." His compassion makes excellent sport by measure of cumulation. The author's patience and vigilance never suffer an opportunity to escape, where she might repeat the turn of his phrase, the tone of his words. And the whole would advance by slow degrees, and close in a little masterpiece, but for the pains the author takes to tell the reader that of which she is later to convince him. She informs him at the outset of what he would have perceived at the end. I know her art is called faultless; nevertheless, this is, I believe, a fault.

As to the triviality to which she dedicates that fine art, let no one who has not read "Pride and Prejudice" and "Emma" say that he knows worldliness in its own proper home. There, "engaging the general good opinion of their surrounding acquaintance" (a mouthful, this, of thick words), worldliness keeps its peculiar state. There is, in almost every second page of Miss Austen's works, a paltry thing called "consequence." No slang of our own time has ever misused a word more foolishly. To "consequence," and to the heroine's love of it, is sacrificed all that might have seemed the beginning of spirituality.

The mansion of "consequence" is a country house unmusically described:

"Cleveland was a spacious, modern-built house, situated on a sloping lawn. The pleasure-grounds were moderately extensive; and, like every other place of the same degree of importance, it had its open shrubbery,

and closer wood walk; a road of smooth gravel winding round a plantation led to the front."

To the shrubbery—one can see the unlovable conifers—the heroines betook themselves in any "hurry of spirits" or other limited form of emotion. In and out of the modern-built house pottered the men, the men of so strange a sex. On the smooth gravel drove "consequence." Emma had the following hesitation about a youth she was inclined to admire (she was twenty-one):

"Of pride, indeed, there was perhaps scarcely enough; his indifference to a confusion of rank bordered too much on inelegance of mind. He could be no judge, however, of the evil he was holding cheap."

Of the irony of which I have said so much these are keen examples: "Who could tell"—Miss Austen is presenting to us the thoughts of Mrs. John Dashwood in regard to her unwelcome guests, her sisters-in-law—"that they might not expect to go out with her a second time? The power of disappointing them, it was true, must always be hers. But that was not enough." This describes the joys of a young woman, lately married: "They passed some months in great happiness at Dawlish; for she had many relations and old acquaintance to cut." And this phrase dismisses the inconstant Mr. Willoughby: "His wife was not always out of humor; and in his breed of horses and dogs, he found no inconsiderable degree of domestic felicity." She sharpens her pen to deal with a little girl of three. Children are no subject of hers as children; they are her subject as spoilt children, through whom the maternal fool inflicts annoyance upon women of sense. So near to the humanity, upon which her watch is kept, does she peer, but she finds no cause of tenderness.

It is, on the other hand, unthinkable that George Eliot should laugh at a hypocrite or banter a fool of any degree, even of those slight degrees that beset the daily life of social man. She is further removed than any of her race from the temper of our remoter fathers who found insanity, imbecility, humpbacks and lameness comic, and from that of our nearer ancestors who, with Dickens and Molière, found a jest in the hypocrite. The will and resolution of the hypocrite are tragic matter. His slighter acts may be matter of comedy, but the humorists did not stop at these. They plucked out the heart of his sinister mystery. For sooner or later they turned grave, and brought the pretender to chastisement, and cast a disquieting effect upon the laugh they had

raised. Mr. Pecksniff's ways give us joyous amusement, so long as we are permitted to ignore the hypocrite's self-knowledge, resolution and will; but when the author turns vindictive, you remember your laughter with some dismay. You leave Dickens to do the final horsewhipping—it cannot right him or you. No, the hypocrite at whom you can laugh freely must be half-hearted. Or the author who presents him must know how to close the door leading to the outer darkness, so that he and his reader may make merry together within the comfortable limits of a convention. The egoist generally stands much apart from the hypocrite by reason of unconsciousness, and I think the humor, the derision and the wit of comedy may have their appropriate play with almost all degrees of egoism well on the hither side of Nietzsche.

Mrs. Trollope was held to be a leading humorist—"vulgar, but unquestionably humorous," the brief mention of her in the history of English fiction would generally aver. Her "Widow Barnaby" still knocks about the bookstalls in the commonest of cheap editions. Its whole motive is the derision of the grotesque figure of a widow overdressed. The author never tires of a detail in that image of a fool. But, with the very ferocity of burlesque, she makes it the image not merely of an egoist, but of a consciously cruel woman. With what heart does the author laugh open-mouthed at her widow's bonnets, ingeniously mismatch her colors, count her cheese-cakes, repeat her beer, do over again all those ignominious things that depend on their cumulative value for their effect, and yet make her tragically cruel? Nor does Mrs. Trollope defer the seriousness of the moral situation, as Dickens does more or less. At an early page, and long before that sedulous work upon the caps and colors, long before those scenes at the pastry-cook's and over the supper-tray—the assiduous burlesque whereby Mrs. Trollope adds, page by page, coats of paint to her Mrs. Barnaby—she brutally tells the schemings, the hate and revenge. She shows you a woman with the hope of a relative's death in her heart, and takes a humorist's joy in the woman's shopping. Nor is this done with the central or principal fool only. There is a Miss Betsy, somewhat more delicately formed than Mrs. Trollope's images are wont to be, a woman whose judicious charities are praised, and who befriends, rescues and enriches the lovely niece and victim of the widow. Of this woman we are told at the outset: "For years, Miss Betsy looked

forward with hope for one of two desired events. That most coveted was the death of her sister-in-law." Mrs. Trollope was, perhaps, a humorist. But human humor has undergone some revision, and will undergo yet more. She is, let us allow, ingenious enough. "'I'm sure,'" says Mrs. Barnaby, "'I would no more let my poor dear sister's child go out with me if I was shabbily dressed than I would fly.'" So saying, she buys herself some new lace and gives the old crêpe to her niece. A little less, and this might be almost art. As it is, the modern reader is hardly indebted to "The Widow Barnaby" for a smile. The wretched widow's merited misfortunes grow tedious. She is not only jilted, in which derision finds its account; she is robbed, which is less grave, yet also less funny. The men who make love to her are not only fortune-hunters, but felons. Some of the early humorist's ferocity is proved here too. She is made to fall down a bank, with one of the felons, a "major," upon her. And some of Miss Austen's mundane temper dwells in this inferior author of a later generation. There is a middle-class security of exclusiveness, a grave integrity of worldliness, in the good people. The possession of money gives to Miss Betsy (the excellent woman who had for years wished for the birth of the child or the death of the mother) a final triumph over the poor wretch who had dressed beyond her income. Miss Betsy had been saving and hoarding while the widow had been falling a victim to imitation majors. Therefore, Miss Betsy is able to set up a sudden carriage, and there the story culminates. This book—cheapened on railway bookstalls, but virtually forgotten—has another rather interesting likeness; it is in touch with the picaresque novel. In the picaresque novel the hero goes to seek adventures. Thus does Mrs. Barnaby. The later hero and heroine sit among friends and find their fortunes on the spot; the older set forth and make it among strangers.

To go back again into the eighteenth century, let us ask what would befall if a manager of to-day should "revive" Elizabeth Inchbald's farce? It held the stage as late as the days of Dickens. "'Animal Magnetism' will go," he writes, "with a greater laugh than anything else . . . I have seen people laugh at the piece until they have hung over the front of the boxes like ripe fruit." As for her judgment: "Talking of vanity," said Byron nearly half a century earlier, "whose praise do I prefer? Why, Mrs.

Inchbald's." This charming woman is incorrectly described by Colman as "solemnly dedicated to virtue and a garret." She was gayly dedicated to those things; she merrily suffered hunger and cried with cold in order to keep from a peevish sister all privation. She had great success, and celebrated one of her triumphs as a playwright by a game at blindman's buff with John Kemble. She spied a crowd waiting outside the theatre door; her diary says: "Dined, drank tea, and supped with Mrs. Whitfield. At dark she and I and her son William walked out. I rapped at doors in New Street and King Street, and ran away." In the "garret" she looked a great deal at herself in the glass, and noted with grief the wrinkles growing in the face she confessed to be "full of spirit and sweetness." She had no other trouble, she says, for some years. The "virtue," moreover, was as gay as the "garret." Her dress was seldom worth so much as eightpence, but always becoming, she says. She was very susceptible, and—what is not always the same thing—affectionate; and her heart was often touched; "Madam, would you have had me?" asked John Kemble, and she answered with her stammer, "Dear heart, I'd have j-j-jumped at you." In her novels she was on her best behavior; her heroines do not jump. If I dwell for a moment on her "Simple Story," it is rather for a demonstration of what a woman can do *without* humor, derision, or wit. This heroine, then—a fairly careful search has not made me acquainted with the maidenly secret of her Christian name. She is Miss Milner until she becomes Lady Elmwood, and then she reminds her husband of the time when she was his dear Miss Milner. There is also Lady Matilda, her daughter, whose title obliges the disclosure of her Christian name. She is greatly distressed at having been surprised into the confession of an attachment. "Could Lord Elmwood," she says, alluding to her father, "know for what he sent me?" "He did," replied the suitor; "I boldly told him of my presumptuous love, and he has given you alone the power over my happiness or misery. Oh, do not doom me to the latter." Lady Matilda does not doom him to the latter; but Mrs. Inchbald can hardly bring herself to say so. Romance apart, "the divine Elizabeth Inchbald" is so lighthearted a figure in literature that it might be necessary to make a fourth class of women-humorists for her sake, and to rank them, not threefold, but fourfold, for humor, derision, wit and gayety.

Had Charlotte Brontë humor? Had Emily? The bitterness of derision Charlotte has, but not the hilarity; wit is not in her world; humor flutters for a moment in the flying vital figure of M. Paul in "Villette"; but there is neither humor nor derision in the Mrs. Yorke of "Shirley," nor anything that really reaches our sense of humor or derision in the Curates. Emily Brontë, in the old farm-servant of "Wuthering Heights," has a measure of humor, but she is never in quest of it.

And now, how little French literature—at which it is not within my present purpose to glance—would add to the sum of feminine comedy; or how far it would be from raising the wit, the humor or the derision of the comedy of women by a single degree, that reader might be slow to believe who cherishes the name of Frenchwoman as a proverb for articulate animation. Madame de Sévigné, the wit, has no linear posterity. And where are the mockers, where are the humorists? If they are to seek, many a Frenchwoman would yet be admitted into the fourth order—the order of gayety, with all its perils. And what are the perils of that irresponsible and hardly literary place? Why, the perils of dulness itself. For vivacity that is not vitality is the insignificance incident to women.

ALICE MEYNELL.

DIFFICULTIES AND DANGERS OF GOVERNMENT RATE-MAKING.

BY ALBERT S. BOLLES, LECTURER ON COMMERCIAL LAW AND BANKING IN HAVERFORD COLLEGE.

No one will question the great part played by the railroads in the material development of the country. Without these agencies, transportation would have been limited to the slower methods of wagon and canal, and vast spaces which are to-day alive with human industry would still be in possession of bird and beast, the hunting-ground of the Indian.

Nor, again, will any one question that great evils have attended them. Personal greed, inexcusable inefficiency, unequal advantage, favoritism, too often have been the unexpected and unwelcome fruitage. Had these been private enterprises, their directors might have replied to all accusers: "The evils of which you complain are private matters, in which the injured only have any legitimate interest." Such an answer cannot be made by a railroad, because it is a public body, subject to public regulation and required to serve all on the same conditions. When, therefore, it departs from such a service, it violates its fundamental purpose, which it is the unquestioned duty of the State, if possible, to prevent. Consequently, in seeking to destroy rebate arrangements, smaller charges for long than for short hauls, and other manifest inequalities, the State is acting within its scope.

The Government, in attempting to correct these inequalities, has learned much, especially that rate-making is an exceedingly difficult problem. It is understood only by a few, even among the officials of a great transportation corporation; and the general public knows nothing save an occasional illustration. If many who are now so glibly advocating Government rate-making should read the testimony of Mr. Tuttle, President of the Boston and

Maine Railroad, before the Senate Committee, they would be greatly surprised at the complexity of the problem, and they would doubt the practicability of the proposed national procedure. They would clearly see that any quick and short-cut method of establishing rates would, doubtless, result in creating far more difficulties than those now existing. Indeed, the only correct method, we maintain, is the one which the larger companies for years have been pursuing, of simplifying the problem by combining roads, of making agreements they are willing to observe—in short, of removing the inequalities, and thus of benefiting themselves and the public, for both alike are, in the long run, if not always, interested in establishing and maintaining uniform rates. In fact, the railroads have already accomplished enough to justify the Government in continuing its present policy of non-interference, with the rational expectation that, ultimately, the railroads will solve the problem themselves.

In the well-meaning attempt of the Government, through the Interstate Commerce Commission, to lessen the inequalities mentioned, it has seemed to some persons, notably to the President, that the quicker and easier method of procedure by the Government is to regulate the rates; but this conclusion is founded on an altogether erroneous conception of the problem.

While the Government is attempting to correct inequalities by eliminating rebates, requiring merchandise to be transported as quickly for one shipper as for another—in short, by eliminating every kind of favoritism—the Government has a clearly definite standard to apply to every case. If a railroad carries A's grain from Chicago to New York in three days and requires three weeks to carry B's, unless a satisfactory reason is given for the delay, the Government can establish a clear case and enforce a remedy. In like manner, if rebates are given and discovered, there is no question about the wrong, and the guilty can be punished. But to make and establish rates is an undertaking radically different from that of discovering the rates given to shippers.

If the Commission is to make and establish rates, the Government ought to furnish it with some guide or measure. To endow this body with supreme authority, to commit the worth and prosperity of our great transportation enterprises to the determination of a few men, is an exercise of power which no Government with a desire to govern rationally ought to put forth.

At the outset, therefore, the Government should establish some kind of a standard. Suppose it should define a reasonable rate as one whereby a fair remuneration may be gained or expected on the capital invested; or, perhaps, a more concrete standard, that dividends should not exceed five, six, seven or other per cent. All, we think, will admit that investors ought to have fair return on their capital, save in some cases that will be hereafter considered. For, if they did not expect to receive such return, these enterprises would not have been undertaken.

What, then, is a fair return? The Government should answer this question for the Commission; or provide methods whereby that body could answer it. A very short penetration into this question reveals many difficulties in the way of finding the answer.

Let us assume that six per cent. would be an adequate return, and that this shall be the standard. An objector rises and says that half the capital invested is wind, and that by "capital" the Government meant money put into the enterprise by the stockholders. Suppose this to be admitted, and the Commission proceeds to find out and determinate the windy portion. The sum originally invested is easily ascertained, but that is only a part. Many of our railroads when first completed were in the crudest condition; more capital was added; for years no dividends were made and all the net earnings were employed to improve the road, stations, bridges, remove curves, lessen grades, acquire rolling-stock, and many other needful improvements. Surely all the money thus expended should be added to the capital in the Government's calculations.

Again, another railroad has made occasional dividends, one, two or three per cent., and all the rest of the earnings have been put into betterments. How much of the earnings in such a case may be properly added to the capital account? Consider the New York and Great Western. Organized a number of years ago, it has never yet declared a dividend on its common stock. It has been reorganized several times; numerous loans have been floated and turned into stock; preferred stock has been issued, also bogus stock; smaller lines have been bought and absorbed, sometimes at their cost, oftener at a much higher figure; every financial device conceivable has been practised by the company; and we question whether the most skilful expert could ascertain the amount of capital truly invested in that enterprise.

Again, one railroad leases another and the accounts have become blended; improvements have been made on both and charged without respect to the specific things done; perhaps it has not earned the money paid to the lessors; perhaps there is a surplus. How is the capital account of the leased line to be ascertained?

Then, there is a large series of railroads presenting an entirely different question. For years they did not pay; but the present owners, or their immediate predecessors, having faith in them, bought the stock for much less than the original price. Ought they to receive more than a fair return on the price they paid; or ought they to be rewarded on the original basis? This was one of the great questions in funding the American revolutionary debt. Much of it was purchased at a low figure, when the outlook for its redemption was very dark, the buyers incurred a great risk, but the world is never lacking in such adventurers. There were then three opinions concerning its redemption; one, that the present owners ought to be simply reimbursed with interest and the original owners ought to have the balance; the second, that the present owners should be reimbursed with interest, which should complete the redemption; the third, that the present owners should be paid the full amount. Each proposition is plausible. What would the Government Commission do in the numerous railroad cases involving the same question?

This question has another side. In some cases, railroads have been bought and sold or leased for more than their worth. Directors have taken advantage of their positions to make an undue profit for themselves. At what figure ought the lines thus purchased or leased to be capitalized for the purpose above mentioned? What rules shall Congress establish to guide the Government Commission in such cases? Surely its members ought not to be left to their own devices to find their way through the dark path that directors have unwittingly laid out for them.

Let us take one more series of railroads which are weighted with leased lines that do not earn their rental. Perhaps the lease can be defended on the ground that otherwise it would have been a competitor, and that a still larger sum would have been lost through competition. The fact nevertheless exists, and the value of the stock of the lessee is thereby unfavorably affected. Many of our larger railroads have numerous leases effected for a great variety of reasons that need not be described. But they

vitally affect the prosperity and value of the property of the lessees in many ways. How is the true capital of such a railroad corporation for the purpose above mentioned to be ascertained?

Before the Government, through a Commission, attempts to establish reasonable rates, it should establish these two preliminaries. And, if the Government is honest and has an adequate comprehension of the question, it will do these two things. By no less a power than the Government itself should the great principle of remuneration be established, whether a reasonable rate, or a maximum rate per cent.; and then, through a Commission or other body, it should proceed to determine what is the just capital of every corporation on which dividends should be paid. Furthermore, Congress should aid the Commission in this work by setting forth the principles whereby they should proceed in determining the true capital of every road.

Assuming that these things will be done, we now approach the question, What is a reasonable rate in a particular case? A copper-ore shipper on the Southern Pacific appears before the Commission and declares that he is charged twice as much for the same distance as a competitor who luckily is located on the Denver and Rio Grande or Northern Pacific. "Surely," he says, "this is unreasonable, especially as there is hardly anything left for me in the way of profit." The railroad replies: "I admit everything you say, except your inference that the rate is excessive. If you have made but very little from your venture, the same thing is true of ourselves; we have managed our enterprise as economically as possible, and yet have never made a dividend. How, then, can you say that the rate is unreasonable? Furthermore, if we had never built the road, you would not have mined a pound of copper; our venture has made yours possible."

What reply can the shipper make? It may be that the railroad has earned something besides running expenses and the interest on its obligations. But every dollar has been spent in improving the physical structure, and millions more have been borrowed for the same purpose. The object of this expenditure, of course, is to bring the road ultimately to a paying condition. Meanwhile, all kinds of traffic share in the benefits of the improvements.

Again, is the lowest rate always a fair standard for competitors? Generally the railroad that is in the most favorable condition to fix low rates is a bankrupt concern, in the possession of a receiver.

If the receiver can make enough to pay running expenses, he can set the pace and keep it up until the end. He need not try to earn interest on the corporation's loans; as for the stockholders, they are entirely out of it. Such a railroad for many years was the New York and Erie; a menace to all solvent competitors, because it was insolvent and never expected to be any better.

The effect of a railroad's bankruptcy on its business future is just as different from that of a private individuals's bankruptcy on his business future as can be imagined. If an individual fails, the competition he had previously waged against others ceases. When a railroad fails it is in the best possible condition to compete and underbid all rivals.

When, therefore, a shipper has demanded a lower rate because it was given by some other company, the truth often has been, as could be clearly proved if space permitted, that the unreasonable rate was that given by the lower-rate road. It is true from the shipper's point of view that he will suffer if the inequality is not corrected; and, if the Government is to do anything in the way of making reasonable rates, it should go much further than is proposed and prevent the making of unreasonably low ones.

Unreasonably low rates are made under three ordinary conditions: by bankrupt railroads; by railroads possessing an inferior service, poorer cars, longer time, slower delivery or other inferiority to their competitors; by railroads under peculiar conditions whereby a heavy cut is temporarily made to punish a rival or gain some advantage. Without going too far it would be difficult to justify the acts of those who have declared such rates on any occasion. Shippers ought to be willing to pay a fair rate on their merchandise, for it is only a charge that they pass on to the consumers. Whatever wrong is done by the practice of things for which there is no defence, the wrong is slight compared with the excessive and disastrous competition between different companies, which, we repeat, the Government, if attempting to do anything in the way of making rates, should prevent. Surely, it is quite as clear a duty of the Government to make a reasonable rate that will secure a fair return to stockholders, and thus insure the solvency of their companies, as to insure the solvency and prosperity of their shippers. Both have equal rights in law.

Let us now turn to another class of railroads on which dividends are made, one, two, or three per cent.; or, perhaps, on their

preferred stock and not on their common. Suppose the charge of unreasonable rate by such a railroad is presented to the Commission, would it contain any more truth than the charge first mentioned against the non-dividend-paying road? The stockholders are not adequately rewarded, and the management is economical. Can it be said that, in any of these cases, the rate is unreasonable? Of course, we are leaving out of consideration unequal rates.

For twenty years the railroads have been trying, by various arrangements, to make and maintain reasonable rates, but the Government has set its face like a flint against them for trying to do these things; and now it turns on them and says: "As you have not made and maintained reasonable rates between competing lines, we will do this for you." The Government proposes to do what the railroads would have accomplished long ago, had they not been deprived of their liberty of action.

Now let us turn to some of the larger railroads, like the Pennsylvania or New York Central, that render full compensation to their stockholders. All of them have numerous branches built with the view of extending their traffic, rendering their systems more complete and ultimately, if not immediately, becoming a source of profit. But in the beginning they do not pay.

Is the truth not evident that a higher rate for transporting on these branches would be reasonable than on the main line? And, if one rate is made for the entire service, as is often done, surely it must be a higher rate than for corresponding service on the main line. But how much higher? How would a Commission determine the question? Consider the numberless questions of this kind that might be presented by shippers, for these branches represent every condition of earning power. Some of them are conducted at a heavy loss; others pay something, others pay more, others are quite profitable. Just imagine a Government Commission facing this set of questions, in circumstances in which a company is trying to deal considerately with its patrons, but does not fully know itself what it ought to do, and the rate is regarded as a tentative arrangement subject to change as soon as both parties have a better knowledge of its effect. Is a railroad Commission justified in assuming that it is wiser than the parties, and that a better rule can be evolved by a body of men not a whit more intent on doing justly, and surely not possessing the experience of the railroad-traffic officers?

We now approach a very difficult class of cases, reserved at the outset, the various cases of invested capital, in which one may rightly question whether any return at all ought to accrue to the stockholders—indeed, whether the companies have any right to exist. We mean, of course, the parallel railroads, which, like some of the sugar refineries, were built not to be operated, but to be sold. Various practical suppositions can be made concerning these ventures. Let us take the case of the West Shore, for example. There was no justification for building it as a public need, for it tapped no new territory, it accommodated no one a whit better than the New York Central. But it began to do business, and for a time it did business. The business of the Central was drained away so rapidly that its net profits disappeared. The directors determined to pass the regular dividend, for none had been earned. Then the startling discovery was made that, if the road passed the dividend, many institutions which held its bonds would be obliged to sell them forthwith, because the law forbade them retaining as investments the bonds of non-dividend-paying roads. To prevent the inevitable sacrifice resulting from the offer of so many securities for immediate sale, a dividend of one-half of one per cent. was declared, and paid with money borrowed from two or three institutions holding its own bonds. Suppose the Central had cut the rate to meet its competitor, would that have been effective? Assuredly not; bankruptcy, if long continued, would have been inevitable. What would our Government Commission, if in existence, have done? Under the proposed law, nothing, and a road conceived in fraud would have been allowed to destroy one of the great systems of our country.

The wrong was done in permitting the parallel line to be built. Such action has often been taken, on the erroneous idea that competition in transportation is quite as good a thing as competition in production. But the conditions are so different that this is rarely true. To establish and maintain a low rate, a railroad needs much business; to multiply railroads for the same amount of business is to enhance the difficulty of carrying at a low rate. The West Shore was built to sell, and the only remedy was for its competitor to purchase. To save itself from bankruptcy the Central was obliged to incur a heavy obligation against its will; and to earn and make a lower dividend than before it was needful to raise the rates. Was the increase under these conditions justi-

fied? Why not? The public, which ought to have protected the Central from this piratical enterprise, did nothing, but rather looked on with glee at the prospective spoliation. The Central could not enjoin the other; it pursued the only practicable course, got its enemy out of the way by purchase. What would the Government Commission have done had a shipper complained to them of the advance in rates?

This is the history of many of these parallel ventures; they ought not to have been built, and as independent enterprises are not entitled to the public protection or regard. Conceived in fraud, they are usually managed in the same spirit; and, if solvent competing lines buy them to save themselves from ruin, are they to be blamed for making the public pay for its original dereliction of duty? The railroads that have thus been built to sell aggregate thousands of miles. What, we repeat, is a reasonable rate to charge in order to gain some return on the capital unwillingly invested under those conditions? And how does the Government propose, if regulating future rates, to guard existing companies against these unwelcome contingencies? Does it propose to suffer such adventurers to continue their work, and, when at last they are put out of the way at a heavy price, to prevent purchasers from making any advance to cover their unwilling action? If this should be the Government's policy, the ruin of the strongest railroad in the United States could be easily accomplished.

We now see clearly that reasonable rates have two very different meanings. By one meaning, the rate applies to a railroad and its shippers without any direct reference to the rate of a competing railroad. Is the rate, for example, unreasonable on a railroad that is essentially free from competition? The test to apply in such a case is the profit received by the stockholders. Is the profit unreasonable? By the other meaning, the rate applies to a railroad that competes with another railroad. Is the same test to be applied to determine the reasonableness of the rate? That is not the popular conception of the true method of determining the question. But if this is a proper test to apply in the first case, why is it not in the other? But the shipper says, "If something is not done, I may be ruined." And his fear may be grounded in reason. Is not the obvious remedy to correct the lower, unjustifiable rate—precisely what the railroads have been

trying to do, and would long ago have done if not prevented by the Government?

One more class of cases may be noted. A railroad pays no dividend for many years; at last its business has developed and dividend-paying begins. Are not the stockholders entitled to larger dividends, for a period at least, than the stockholders of a company that paid fairly from the beginning? A very small number of railroads have paid from the beginning; most of them have not paid until after years of waiting. In every other kind of business, the fat profits of the prosperous years are often justified because of the lean profits of the hard uncertain years. Is not this principle as clearly entitled to recognition in rewarding the owners of transportation enterprises as of those engaged in other pursuits? What would the Government Commission do in dealing with rates in this large class of cases?

But there are other aspects of this question worthy of consideration. If the Interstate Commerce Commission errs, its decision is subject to judicial review and correction. The right of appeal strongly tends to prevent many of the abuses that might arise if none were allowed. The purity and fair-mindedness of the courts are preserved in the same manner, by appeal and review, and finally by impeachment and removal for the greater misdeeds. But now it is jauntily proposed to establish a tribunal without a parallel in our history; one wholly alien to every conception of rational government; a tribunal from which there shall be no appeal to the highest federal court, but only to a "court of commerce," composed of five federal judges, "three of whom shall constitute a quorum." By existing law, the decisions of the Interstate Commerce Commission are reviewable by the Supreme Court of the United States; by the proposed law, decisions of far greater importance cannot be thus reviewed. What respect could one have for a reversal by the proposed court of commerce, consisting, as the court may, of three judges, two in favor of reversing, against one in favor of affirming, a unanimous decision by the Commission composed of five men, presumably possessing as much ability as the members of the court of review? This withholding of review from the Supreme Court is justified, forsooth, on the ground that the Commission will be a parental, kindly body doing equity between all. But, seeing the infirmity of all human institutions, what reason have we to sup-

pose that its course will be so much better than any predecessor? On the contrary, endowed with power so extraordinary, we have many reasons to suppose it will be worse. The temptations to do evil will be far greater than have ever confronted men in any other public position. The Commission will have political and personal proclivities, do what you will. The party in power appointing its members will make no mistake in selecting a majority from its own body. No one doubts for a moment that, if the Government owned all the railroads, or the principal lines, their wealth and power would be utilized by the party in power to strengthen its hold and continue its control. To transport the mails is just as much of a business as to transport freight and passengers, and yet the service has been a partisan service from the beginning, and is likely to be for an indefinite period.

Every one knows the part the railroads have played in State politics from the Atlantic to the Pacific. They cannot escape if they would. Strong as are the largest corporations in some respects, in other respects they are most vulnerable. And the larger they are, the greater are the dangers that surround them. No one understands their weaker positions better than politicians. The creation of commissions to examine or regulate them; the imposition of unreasonable expenditures for moving freight and passengers, or for raising tracks and other changes in their physical structure, additional taxes,—these are some of the methods by which politicians and their followers can annoy and threaten railroads. Around almost every State Legislature is a body of men who are seeking to exploit the railroads for their personal profit, under the guise, perhaps, of the public good. The railroads must ever be on guard to watch and defeat their enemies. They seek to elect their friends to legislative bodies and defeat those intent on pelf and plunder. Most of the great railroad systems to-day wish little, if anything, in the way of legislation; their strongest wish is to be let alone. But this is what the legislatures will surely not do; and so, the railroads, against their will, are involved to a greater or less degree in State politics.

Create the proposed Commission, with power to establish rates, and the future of the railroad would be largely in their control. A Presidential election is approaching; and the railroads are asked to contribute to the party funds. They refuse to comply, or to

give as much as the party managers desire. Would a railroad dare decline, after receiving an intimation that it would be well to contribute more liberally? A railroad president in his anger refuses, says he belongs to the other party, or does not like the candidate or his methods. Forthwith, some shipper makes his complaint that he is paying an unreasonable rate. The president soon discovers that he is in a net, with only one way to get out; the desired contribution is given, the party beggar calls off the shipper, and the difficulty is over.

Will the railroads be kept out of national politics when a Commission, composed of a few men, has its firm grip on them with power to squeeze out of them contributions, or to influence the suffrages of their numerous employees? Create this Commission and the future of every Presidential election can be foretold.

And what shall be said of the probable action of such a Commission in seeking to secure for their brothers, cousins and dear friends snug berths in the railroad offices? Could any easier or more effective way be imagined of creating good fellowship between the railroads and the Commission?

Would this vast machinery of transportation, once in the firm grasp of the Government, through its appointed and controlled Commission, move so high above all party influences that no one need fear its opportunities and its power? Those who think thus, if thinking at all, are blind to the plainest teachings of our brief political history. Would not popular phrase be soon changed from "reasonable rates" to "political rates"? Would not control without ownership, for that is what Government rate-making means, give rise to a series of tremendous dangers and disquieting consequences that would outweigh many times the ills now endured?

Finally, what is the popular conception of this question? Simply this: If two railroads are in any sense competitors, and one is making a lower rate than the other, the Commission should forthwith compel the one maintaining the higher rate to come down to the other's level. The shipper paying the higher rate says, "The lower rate enjoyed by my competitor is ruinous to me," and doubtless he is right. But he never looks beyond his own narrow interest. He neither knows nor cares how the railroad may suffer if it attempts to conform to his wishes. He never discovers that the real wrong is done by the railroad carry-

ing at the lowest rate, and that the true remedy is to compel it to raise its rate—or, perhaps, for one to raise and the other to reduce, until they are at the same level.

In all this discussion from the popular side there is not the trace of a thought that it should be a function of the Government to raise the rate of a railroad, although it may be bankrupt and in a condition to bring every other competitor into bankruptcy if permitted to continue.

The thought that a railroad can carry, and often has carried, freight at too low a rate, for which there was no justification, is quite beyond the public comprehension. That millions of bushels of grain have been carried by the railroads for many a year from the West to the seaboard at a loss, is an incident over which only stockholders grieve. The dissimilarity between the conditions of two railroads traversing the same territory—the one solvent and seeking to preserve its responsibility to its stockholders, the other bankrupt, responsible to nobody except the court, and not caring a fig about rates or profits—is a fact, however palpable to the most ordinary shipper, that never brings to him a regret, but only a smile. Others may lose heavily, but this is no affair of his; his interests do not go beyond himself. What he wants are rates as low or lower than are given to competitors by other lines, not by evening up but by evening down, and his sole conception of Governmental action is the achievement of that purpose. If ever a great question was gazed at by a large portion of the public in the narrow light of personal interest it is this.

If the proposed action by the Government were based on a clearer apprehension of the difficulties, and with a manifest purpose to advance rates when too low as well as to reduce them when too high, in short, to protect stockholders as fully as their patrons, and permitted appeals to be made to the Supreme Court of the United States, not solely on the ground that the Commission might err, but that it is a power too great and dangerous to lodge in any body without appeal to the highest tribunal, then the proposal might be worth considering. Until this is done the shippers have quite as much reason to fear as the railroads that this well-meant attempt to serve them will prove a costly delusion.

ALBERT S. BOLLES.

THE WHY OF RURAL FREE DELIVERY.

BY GENERAL RUSH C. HAWKINS.

THE management of the United States Post-Office occupies a unique position among the postal departments of the world. In European countries that important branch of the public service is conducted along the lines of well-established business principles, commercial discretion enforcing reasonable economies, but never to the detriment of the duties to be performed, which in the larger and well-governed nations are executed efficiently and with sufficient exactness. In no instance is a discovered source of deficit permitted to continue. Among the first experiments in government telegraphing, there were small annual deficits; and in several countries during the first years there were shortages in the package, or what might be termed the express, department, but they were not allowed to continue. New methods were adopted which insured adequate compensation for the services performed—usually showing a considerable profit to the government,—one year in England as much as $22,000,000—without impairing the efficiency of the service.

It remained for us in the conduct of our postal affairs, as well as in other business departments of Government, to set the example of intentionally doing public business at a loss to the Government: of managing in the interest of favored classes, and, in the majority of instances, for the purpose of promoting partisan aims of practical politicians and office-holders, who are seeking only perpetuation of place and power, and always at the expense of economical administration of public affairs.

In support of this system we have our unnational legislation upholding an unjust protective tariff for the benefit of favored classes; the yearly "Rivers and Harbors Bill," with its many unnecessary appropriations; the many expenditures for public build-

ings in unimportant places where they are not needed; the second-class mail-matter abuse, which entails a yearly loss of from seven to ten millions; and, over and above all others as to amount, we have the monstrous, gigantic and unprecedented series of pension frauds.

A few thoughtful and patriotic citizens having the better interests of their country at heart, who had observed and been compelled to acquiesce in political conditions they could not approve, had ventured to hope that the abuses mentioned would have satisfied the political spoilsmen and tax-devouring classes, and that there would be no further inflictions of the same order. But they knew not of the capacity of the well-fed spoilsman appetite to crave for more; and they were doomed to an unexpected disappointment, caused by the bringing forth of a new scheme such as could not have been invented and put into active operation in any other country than our own.

The older postal abuses which had long since crystallized into exact form—unconscionable overpayments to favored railroads, in many instances to the extent of four times the usual charges for like services performed in the ordinary course of commerce, and the carrying of many kinds of second-class matter at less than one-quarter of the actual cost to the Government—had been in practice so long that there would be considerable difficulty in tracing them backwards, through their extended course of malignant activity, to their origin, or to the exact time of their inauguration; but that is not the case with this later addition to our postal family of abuses. The time of its conception in the womb of practical politics was the last half of the year 1896; but it first went into active operation in 1897, the first year of the McKinley administration. There are reasons for a suspicion that the vicious political influence of the Middle West was the power that breathed the breath of life into the nostrils of this monstrous scheme. Soon as it had been decided to inaugurate this new branch of the Postal service, it became necessary to find an experienced and efficient agent for its organization and promotion; and, fortunately for the inventors, there was ready at hand and installed in appropriate office at Washington, a *facile princeps,* a graduate in the school of Middle West politics, who was master of all the accomplishments which might be expected to flow from such an education.

The official in question came into his office under the influence of the most successful political speculator connected with the administration that appointed him, and he afterwards became known, officially, as the First Assistant Postmaster-General. For the special work in hand he was ideal. If he had been made to the order of a committee of the most expert partisans, he could not have embodied more completely the necessary qualifications for the quantity and peculiar quality of success which would have best pleased his masters. He knew the party machine, its ambitions and needs, and the kind of lubricants necessary to keep its various parts in such working order as would make it equal to all emergencies, from capturing the vote of a city or State to purchasing a National Convention.

During the first week of March in the year 1898, a citizen interested in the reformation of corrupt practices connected with the administration of postal affairs, called upon the Postmaster-General for the purpose of presenting to his attention some facts relating to one of the most flagrant abuses connected with his Department. He was received, presented the dominant facts involved, and was then referred to the First Assistant Postmaster-General, to whose office he was shown. There he waited until the advent of that official, when the matter in question was submitted for consideration. The discussion in relation to it had not proceeded very far before a card was brought in, and soon afterwards two individuals were announced. They were received by the official with a marked degree of cordiality, and the three betook themselves to another part of the room. The visitors proved to be characters of more than ordinary interest. One was a member of Congress and the other a "Visiting Statesman," who in machine parlance is usually called "The Boss."

These two individuals were of the same political locality and party and were bent upon spoils; and their conversation of about an hour's duration brought to the surface a series of revelations from the innermost recesses of the kingdom of the Boss which were of absorbing interest to the silent listener, whose eyes and ears opened the wider at the recital of each proposition presented. The Boss was the chief spokesman. He had carefully mapped out a network of "Rural Free-Delivery Routes" for the Congressional District over which he presided; and was urgently fluent in pressing their adoption. He descanted fer-

vently upon the difficulty experienced in carrying, at the last election, certain important parts of the district for the Republican party. His State was one of the doubtful States, and had as often gone for the Democrats as for the Republicans; hence, the necessity of developing this newly discovered source of political power in the interest of *the* party.

During his plea in favor of immediate action he was urgently eloquent. He brought to the fore a startling proposal, which was new to the official, and it was propounded in about these words: "As soon as the requisite number of routes have been established to meet the demands of the people, we will need Government road-inspectors, to see that the highways used, which will have become Government post-roads, are kept in order for the passage of the mails. We ought to have at least from two to five in each Congressional District." In answer to this part of the argument, the official, in substance, said: "In time, that necessity will have to be provided for; but it is too early to bring it before the people at this time. This scheme of rural delivery is a new one, is now just entering upon the experimental stage and must not be overloaded. Members of Congress are beginning to see its importance, and are becoming interested in its progress, and we may have reasons for looking forward to the success of our experiment; but we must not call for too large expenditures at first. The people must be educated and aroused to the importance of having their rights acknowledged by the Government. This will come to be known as a measure of our party, and the odium of its failure would rest upon our shoulders. Therefore the importance of slow and sure work for the foundation."

The interview closed with the assurance that "the Department" was on the side of the discoverers of this new source of party wealth.

The official then announced his willingness to listen to the would-be reformer, who had journeyed two hundred and fifty miles for the purpose of laying certain facts before the Postal Department which made out a perfectly clear case of unauthorized misdirection of Government work, for the benefit of a certain favored few who had not even a shadow of a right to call upon the Government for the performance of a certain service purely incidental to their business occupations. The official, in an impatient manner, heard the statement through, admitted its truth,

did not deny that it described an abuse which was being carried on at the expense of the Government, and said that the people demanded it, and that the Department could not go back of the people's demand. He closed the interview by saying that the matter was one that long continuation had placed beyond Department control—in other words, the fraud was of sufficient age and magnitude to entitle it to a place upon the list of privileged abuses.

The following table shows the growth of "Rural Free Delivery" routes from 1897, its first year, to June 30th, 1904:

	Appropriations	Routes in Operation.
1897	$40,000	44
1898	50,000	148
1899	150,000	391
1900	450,000	1,276
1901	1,750,000	4,301
1902	3,993,740	8,466
1903	8,054,400	15,119
1904	12,921,700	24,566

The fiscal year of 1897 was the first of the experiment. Forty-four routes were established and $40,000 appropriated. The next two years were, also, to an extent, experimental. But in the year 1900, when success had been assured beyond doubt, 1,276 routes were nurtured into working order and $450,000 appropriated. By that time Departmental machinery had attained to a condition of efficiency which promised great usefulness in the future.

The results of the Departmental machinery, aided by interested political workers outside, during the four fiscal years ending June 30th, 1904, prove that all the promise born of the previous four years' experience was to be satisfactorily realized. During the year 1904, the last of those four years, the scheme was worked up to the high-pressure point all along the line, so that it succeeded in grinding out of its mill a fraction less than twenty-six routes for each day in the year. And, for the whole eight years comprised in the initiatory and formative period, we have a fraction less than 3,071 for each year, and about eight and a half for each day of the whole period.

The Postmaster-General, in his report for the fiscal year ending June 30th, 1904, gives a summary of the most important facts which go to make up the year's history of rural free delivery. The all-important items for the consideration of the tax-producer are contained in the following paragraphs:

"The number of pieces of mail collected during the fiscal year was 133,083,351. The value of stamps cancelled on mail collected by rural carriers amounted to $2,601,815.28, and the pay of carriers for that period aggregated $12,122,725.20.

"The average monthly cancellations for routes throughout the United States were $10.64, and the average pay of carriers was $49.54."

Summary.

Cost per month	$1,010,227.10	12 months....	$12,122,725.20
Receipts per month....	216,817.94	12 months....	2,601,815.28
Loss per month.....	793,409.16	12 months....	9,520,909.92

The above cost relates to carriers only—the pay of division superintendents, rural agents, *per diem* agents, clerks at division headquarters and various other employees, and the expense of maintaining the bureau organization, are not included. It may be safe, however, to estimate the cost of these items at about $798,975 which would make up the total of $12,921,700, the whole appropriation for that year, which makes the loss to the tax-producer $10,319,884.92. In other words, a very large majority of the tax-producers are being compelled to pay about four dollars for every one earned by rural delivery, for an uncalled-for and unnecessary service in which it is impossible that they should have the slightest interest.

At this time there must be in operation about 35,000 routes and there are enough more in sight to carry the number, within five or six years, up to 60,000. This will mean a yearly payment to carriers of $35,668,800, to which must be added the incidental office and other Department organization expenses, which may be safely put down at $2,800,000 at least. This amount added to the carriers' pay will make a total of $38,468,800, insuring an annual deficit of about $28,851,000. But will the increase of routes stop at 60,000? There is no unknown quantity so voracious and ravenous as the well-fed appetite of the spoilsman politician of the recognized American type. He is omnivorous, and his well-practised digestion is ever ready for further supplies. This gigantic fraud will go on until the last acre of our territory is covered with settlements; or, possibly, until President Lincoln's "common people," no longer able or willing to submit to the extortions imposed by those who misrepresent them in Congress, and officially elsewhere, arise and inaugurate new methods for checking partisan extravagance.

From the view-point of use for the professional politician,

rural free delivery appears to be about as pernicious a raid upon the public treasury as could be invented. And yet, this new flesh-pot, with its enticing and appetizing fragrance floating out from the halls of Congress, in many directions to all the remote corners of our extended domain, proved to be the kind of a temptation the average citizen could not resist. So attractive had it become in its fifth year that many an honest citizen fell then who had never fallen before, and became an ardent advocate of this new state industry. And now he examines the probable ability of the Congressional candidate to secure rural routes in his district before casting his vote.

The new creation in the interest of partisan power is in one essential respect singularly exceptional. It was brought into existence without an actual or even an apparent excuse, made out of an opportunity and founded upon no pending necessity. The people upon whom this service was forced had never known that they needed it; and, in a majority of instances, they were astonished when informed that the Government was about to inaugurate it for doing that which they had always done for themselves. The village post-office had always been near at hand and their postal needs few—usually confined to the weekly paper and an average, in the strictly rural parts, of not over one hundred letters and circulars for each family per year. If a week went over without a family's sending to the post-office, others would bring the "mail" for those who remained at home.

From the first settlements these conditions had obtained in many parts of the country, were satisfactory and fully equal to all the necessities involved; and great was the astonishment of the sturdy citizen of the rural districts when he was informed that Government had kept him out of his rights, but, having seen the sin of its neglect, it was now making the right amends for the wrongs of the past; and he had only to sign the paper, the petition for service, and he would have the daily delivery at his door. This was a luxury he had never dreamed of, and in many instances he rebelled against its infliction. It was foreseen that its coming would do away with the excuse for going to the village for the mail, which in many instances, since the advent of the bicycle, had given the boys and girls an opportunity for an enjoyable ride when the day's work was over.

The aggrieved parties along the lines formerly so satisfactorily

served by the "old mail-stage" often resorted to the local press for the open expression of their sorrows. The following is a fair specimen of many that have been published, especially in the New England States:

"Three rural free-delivery mail routes were established from South Royalton, October 1st, two of them passing through the village of East Barnard from different directions. The post-office there and the stage running daily to South Royalton were discontinued three weeks ago, against the wishes of nearly every one in the place; and a petition has been sent to the Post-Office Department, signed by about 100 people, protesting against the change. The people of that community have ordered their mail sent to Sharon, where they take turns in going for it, South Royalton, where the mail arrives, and the usual office of supply, being ignored. At South Tunbridge, the postmaster resigned several weeks ago on account of the rural free delivery, and no one wants the office, but the Department has not yet seen fit to discontinue it."

The dissatisfaction is not confined to any particular class or classes, but is shared by all the people who go to make up the usual rural communities. They have missed the many little conveniences which attended the old system and which had become a part of their daily routine: the familiar old stage, with its accommodating driver who was always willing to purchase and deliver anything from a postage-stamp to a cart-wheel, they looked upon as a family necessity. The boys and girls had ridden with him to school for generations; and many a welcome visitor from afar had alighted from his familiar "old ark." In short, the mail-carrier had become a part of the every-day life of all those who lived along his line, and his daily passings were always looked for with pleasurable anticipations. No wonder the seven hundred and twenty dollar Government official, of the new order of regulated celerity, could not be regarded as an adequate substitute for the old-established order, which dated back to the days of the early settlers. The following protest from an aggrieved layman, printed in a New England newspaper, voices the sentiment of the dissatisfied:

"Rural free delivery is a grand thing for those that want it, and those that don't will have to learn to like it. But here is my view of the rural free delivery in any town where there is good mail service, and has been for years and years. In a good many places there is a little store and post-office together, which makes a fair living for the owner; but one alone is too little pay, so your rural free delivery throws up your post-office, and the store in small places dies out, and you go to

larger places to buy your provisions; and your little town with so many bright people in it grows poorer and poorer in more ways than one, your money going out of town and added expense necessary to the town to keep the roads in passable condition for the mail-carrier. He cannot shovel his way through snow-drifts and make his time, as he has got to. Then there are more things than these: you have thrown off your stage that has run for years before you were born, and if any of your friends or any one else wants to go through, instead of the small sum of seventy-five cents or one dollar, you can go and get them, or they can hire some one to bring them for $2.50 or $3.00. If you want to send anything away, instead of going to the stage road and sending it on the stage, you can go and carry it yourself or keep it at home. Some of you think that rural free delivery will make real estate higher, Not so, my friends; no man with a level head on him would buy a farm as quick with rural free delivery as he would with the good old-time stage running through the town twice a day. Now, if it is not asking too much of you, when any of you write another piece about rural free delivery, please sign your name, so we shall know who to blame and who not to."

There are two classes who derive complete satisfaction from the success of this new enterprise: the machine politicians, and the ever-thrifty citizens who abound in all rural communities, and who assist in promoting this scheme of a thriving State industry—for the money it yields to the community in which they are interested. The proceeds from this source are considered as "clear gain"—all coming into the State from the Government treasury and nothing going out.

It will be seen, by the following extract from the 1904 report of the Postmaster-General, that the six prominent Republican States, which are usually all powerful in National Conventions and in Congress, are having the generous reward of the pure and steadfast in the faith.

Number of routes in certain States in 1903 and 1904 and partly estimated cost of maintenance.

	1903.	1904.	Expense, 1904.
Illinois	1,352	2,123	$1,528,560
Indiana	1,113	1,658	1,193,760
Iowa	1,484	1,863	1,341,360
Ohio	1,104	1,816	1,407,520
Pennsylvania	845	1,432	1,031,040
Wisconsin	632	1,076	774,720
Total	6,530	9,968	$7,276,960

During the fiscal year ending June 30th 1904, there were established 9,447 new routes. Of these, the six favored States managed

to capture 34½ per cent., leaving 65½ per cent. for distribution among the other States and territories. The dimensions of this reward to these ever-reliable Republican States proves the exceptional activity of their machine managers, and also the kindly disposition, in the direction of liberal expenditures, of the officials in charge of postal affairs at Washington.

This singularly exceptional generosity stands for a significant future possibility of surpassing importance. Of late, there has been a marked tendency towards a centralization of power in the hands of the Executive, such as had never been witnessed before since the formation of our Government. In several instances individualism—personal preference—has asserted itself in the setting aside of customs as old as the Government, which were established in the interests of the sacred proprieties. These deviations from ancient customs have resulted in a certain amount of demoralization in the military and several of the civil departments of the public service.

These acts, no matter for what purpose intended, indicate a willingness to resort to an improper use of power to attain certain ends. This seemingly growing desire for concentration of power is becoming a menace of such magnitude that those who care for the perpetuation of our Government, in anything like the purity and form it was in when left to us by the fathers, would do well to adopt, if possible, effective measures to prevent further infractions. Suppose, for instance, when these conditions towards centralization have extended so as to indicate sufficient power of control in the hands of an Executive, that official should become possessed of a desire to exert his influence over a National Convention for the nomination of a candidate for his own party? The numerous cohorts of tax-eaters and managers of political machines—all being supported at the cost of the people—would be the willing tools he would work with. What obstacle could stand in the way to prevent a President from dictating the nomination of a favorite cabinet officer for his successor? In the histories of nations, where citizens have not, in time, resisted the usurpations of their rulers, stranger events have come to pass. And why not in time here?

Of all the political machines ever set in motion for the advantage of self-seeking partisans, the "Rural Free Delivery" shows promise of being the most far-reaching and potent in its malig-

nant results. At the present rate of increase, or even much less, we may safely, by 1915, count upon there being 100,000 routes in operation, whose carriers and other employees, if so disposed, would be able to control, besides their own, 500,000 other votes. This newly organized political spoilsman force, acting with others already in existence, would constitute a unit of power which would be irresistible.

As at present organized, this new branch of the public service is in condition for immediate and active service. Besides being a separate body, with a chief and a powerful, well-drilled staff at the seat of government, there is a numerous body of men who do its routine work and are in daily touch with the postmasters of the distributing offices throughout the country. In the field of trickster politics, these officials are masters. Probably not more than five per cent. of the whole, if even that, were appointed because of special fitness. The rule is that they are recommended by Senators and Representatives as being entitled to reward for political work performed for the party in power. These are the town and county experts who dictate the composition of the caucuses and control them, and assist the greater bosses to manipulate the larger and more important conventions. They know the local weaknesses and can be relied upon to marshall their forces where they will do the most good.

The Republican party, confident of its power, gorged with office, heedless of the rights of the minority, often disregarding honesty of purpose, promoting and encouraging vicious extravagance, in all departments of the public service, condoning and in many instances applauding unprecedented acts of its autocratic chief, legislating in the interest of classes and sections, and annually disregarding the principles involved in an enlightened and beneficent public policy, is now, by reason of its having created the evils enumerated, in a position for a still further advance against the interests of the people. Is there anything in its past history to encourage the belief that it will call a halt rather than press forward more recklessly than ever?

RUSH C. HAWKINS.

ENGLISH IDIOSYNCRASIES.—II.

BY W. D. HOWELLS.

VI.

We suppose that the large holdings of land are the effect of wrongs and abuses now wholly in the past, and that the causes for their increase are no longer operative, but are something like those geological laws by which the strata under them formed themselves. Once, however, in driving through the most beautiful part of England, which I will not specify because every part of England is the most beautiful, I came upon an illustration of the reverse, as signal as the spectacle of a landslide. It was the accumulation, not merely within men's memories, but within the actual generation, of vast bodies of land in the hold of a great nobleman who had contrived a title in them by the simple device of enclosing the people's commons. It was a wrong, but there was no one of the wronged who was brave enough or rich enough to dispute it through the broken law, and no witness public-spirited enough to come to their aid. Such things make us think patiently, almost proudly, of our national foible of graft, which may really be of feudal origin. Doubtless the aggression was attacked in the press, but we all know what the attacks of the press amount to against the steadfast will of a powerful corporation, and a great nobleman in England is a powerful corporation. In this instance he had not apparently taken the people's land without some wish to make them a return for it. He had built a handsome road through their property, which he maintained in splendid condition, and he allowed them to drive over his road, and to walk freely in certain portions of their woods. He had also built a magnificent hospital for them, and it seemed rather hard, then, to hear that one of the humblest of them had been known to speak of him in whispered confidence as a "Upas tree."

Probably he was not personally a Upas tree, probably the rancor toward him left from being bawled after by one of his gatemen at a turning we had taken, in his enclosure, "That's a private path!" was unjust. There was no sign, such as everywhere in England renders a place secure from intrusion. The word "Private" painted up anywhere does the effect of bolts and bars and of all obsolete man-traps beyond it, and is not for a moment that challenge to the wayfaring foot which it seems so often with us; but the warnings to the public which we make so mandatory, the English language with unfailing gentleness. You are not told to keep your foot or your wheel to a certain pathway; you are "requested," and sometimes even "kindly requested"; I do not know but once I was "respectfully requested." Perhaps that nobleman's possession of these lands was so new that his retainers had to practise something of unwonted rudeness in keeping it wholly his where he chose. At any rate, the rule of civility is so universal that the politeness from class to class is, for what the stranger sees, all but unfailing. I dare say he does not see everything, even the Argus-eyed American, but apparently the manners of the lower class, where they have been touched by the upper, have been softened and polished to the same consistence and complexion. When it comes to the proffers, and refusals, and insistences and acceptances between people of condition, such as I witnessed once in a crowded first-class carriage from London on an Oxford holiday, nothing could be more gently urgent, more beautifully forbearing. If the writers of our romantic novels could get just those manners into their fiction, I should not mind their dealing so much with the English nobility and gentry; for those who intend being our nobility and gentry, by and by, could not do better than study such high-breeding.

VII.

If we approach the morals of either superiors or inferiors, we are in a region where it behooves us to tread carefully. To be honest, I know nothing about them, and I will not assume to know anything. I heard from authority which I could not suspect of posing for omniscience that the English rustics were apt to be very depraved, but they may on the other hand be saints for all that I can prove against them. They are superstitious, it is said, and there are few villages or old houses that have not

their tutelary spectres. The belief in ghosts is almost universal among them; as I may allow without superiority, for I do not know but I believe in them myself, and there are some million of American spiritualists who make an open profession of faith in them. It is said also that the poor in England are much spoiled by the constant aid given them in charity. This is supposed to corrupt them, and to make them dependent upon the favors of fortune, rather than the sweat of their brows. On the other hand, they often cannot get work, as I infer from the armies of the unemployed, and, in these cases, I cannot hold them greatly to blame if they bless their givers by their readiness to receive. If one may infer from the incessant beneficences, and the constant demands for more and more charities, one heaped upon another, there are more good objects in England than anywhere else under the sun, for one only gives to good objects, of course. The oppression of the subscriptions is tempered by the smallness of the sum which may satisfy them. "Five shillings is a subscription," said a friend who was accused of really always giving five pounds.

The English rich do not give so spectacularly as our rich do, that is, by handfuls of millions, but then the whole community gives more, I think, than our community does, and when it does not give, the necessary succor is taxed out of its incomes and legacies. I do not mean that there is no destitution, but only that the better off seem to have the worse off more universally and perpetually in mind than with us. All this is believed to be very demoralizing to the poor, and doubtless the certainty of soup and flannel is bad for the soul of an old woman whose body is doubled up with rheumatism. The Church seems to blame for much of the evil that ensues from giving something to people who have nothing; but I dare say the Dissenters are also guilty.

Just how much is wanted to stay the stomach of a healthy pauper, it would be hard to say; but now and then the wayfarer gets some hint of the frequency if not the amount of feeding among the poor who are able to feed themselves. One day, in the outskirts—they were very tattered and draggled—of Liverpool, we stopped at a pastry-shop, where the kind woman "thought she could accommodate" us with a cup of tea, though she was terribly pressed with custom from all sorts of minute maids and small boys coming in for "pennorths" of that fright-

ful variety of tart and cake which dismays the beholder from a million shop windows in England. When we were brought our safer refection, we noted her activities to the hostess, and she said, "Yes, they all want a bit of cake with their tea, even the poorest"; and when we ventured our supposition that they made their afternoon tea the last meal of the day, she laughed at the notion. "Last meal! They have a good supper before they go to bed. Indeed, they all want their four meals a day."

Another time, thriftily running in a third-class carriage from Crewe to Chester, I was joined by a friendly man who addressed me with the frank cordiality of the lower classes in recognizing one of their sort. "They don't know how to charge!" he said, with an irony that referred to the fourpence he had been obliged to pay for a cup of station tea; and when I tried to allege some mitigating facts in behalf of the company, he readily became autobiographical. The transition from tea to eating generally was easy, and he told me that he was a plumber, going to do a job of work at Llandudno, where he had to pay fourteen bob, which I knew to be shillings and mentally translated into $3.50, a week for his board. His wages were $1.50 a day, which the reader who multiplies fourpence by twenty, to make up the difference in money values, will find to be the wages of a good mechanic in the first Edward's time, five hundred years ago. On this he professed to live very well. He rose every morning at half-past four, and at six he had a breakfast of bread, butter and coffee; at nine he had porridge and coffee; at one, he had soup, meat and eggs, and perhaps beer; at night, after he got home from work, he had a stew and a bit of meat, and perhaps beer, with Mother. He thought that English people ate too much, generally, and especially on Sunday, when they had nothing else to do. Most men never came home without asking, "Well, Mother, what have you got for me to eat now?" When I remembered how sparely our farm people and mechanics fared, I thought that he was right, or they were wrong; for the puzzling fact remained that they looked gaunt and dyspeptic, and he hale and fresh, though the difference may have had as much to do with the air as the food. I liked him, and I cannot leave him without noting that he was of the lean-faced, slightly aquiline British type, with a light mustache; he was well dressed and well set up, and he spoke strongly, as North Britons do, with nothing of our people's husky

whine. I found him on further acquaintance of anti-Chamberlain politics, pro-Boer as to the late war, and rather socialistic. He blamed the labor men for not choosing labor men to office instead of the gentry who offered themselves. He belonged to a plumber's union, and he had nothing to complain of, but he inferred that the working-man was better off in America, from the fact that none of his friends who had gone to the States ever came home to stay, though they nearly all came home for a holiday, sooner or later. He differed from my other friend the accountant in being very fond of the Welsh; it must be owned their race seemed to have acquired merit with him through the tip of two sovereigns which his last employer in Llandudno had given him. On the other hand, he had no love for the Italians who were coming in, especially at Glasgow. In Glasgow, he said, there were more drunken women than anywhere else in the world, though there was no public-house drinking with them as in London. This, so far as I got at it, formed his outlook on life, but I dare say there was more of it.

VIII.

I was always regretting that I got at the people so little, and that only chance hints of what they were thinking and feeling reached me. Now and then, a native observer said something about them which seemed luminous. "We are frightfully feudal," such an observer said, "especially the poor." He did not think it a fault, I believe, and only used his adverb intensifyingly, for he was of a Tory mind. He meant the poor among the country people, who have at last mastered that principle of the feudal system which early enabled the great nobles to pay nothing for the benefits they enjoyed from it. But my other friend, the plumber, was not the least feudal, or not so feudal as many a lowly ward heeler in New York, who helps to make up the muster of some captain of politics, under the lead of a common boss. The texture of society, in the smarter sense, the narrower sense, is what I could not venture to speak of more confidently. Once I asked a friend, a very dear and valued friend, whether a man's origin or occupation would make any difference in his social acceptance, if he were otherwise interesting and important. He seemed not to know what I would be at, and, when he understood, he responded with almost a shout of amazement, "Oh, not the least in the world!" But I have my

doubts still; and I should say that it might be as difficult for a very cultivated and agreeable man servant to get on in London society, as for an artist or poet to feel at home in the first circles of New York. Possibly, however, London society, because of its almost immeasurable vastness, can take in more of more sorts of people, without the consciousness of differences which keeps our own first circles so elect. I venture, somewhat wildly, somewhat unwarrantably, the belief that English society is less sensitive to moral differences than ours, and that people with their little *taches* would find less anxiety in London than in New York lest they should come off on the people they rubbed against. Some Americans, who, even with our increasing prevalence of divorces, are not well seen at home, are cheerfully welcomed in England.

Perhaps, there, all Americans, good and bad, high and low, coarse and fine, are the same to senses not accustomed to our varying textures and shades of color; that is a matter I should be glad to remand to the psychologist, who will have work enough to do if he comes to inquire into such mysteries. One can never be certain just how the English take us, or how much, or whether they take us at all. Oftenest I was inclined to think that we were imperceptible to them, or that, when we were perceptible, they were aware of us as Swedenborg says the most celestial angels are aware of evil spirits, merely as something angular. Americans were distressful to their consciousness, they did not know why; and then they tried to ignore us. But perhaps this is putting it a little fantastically. What I know is that one comes increasingly to reserve the fact of one's nationality, when it is not essential to the occasion, and to become as much as possible an unknown quality, rather than a quality aggressive or positive. Sometimes, when I could feel certain of my ground, I ventured my conviction that Englishmen were not so much interested in Americans as those Americans who stayed at home were apt to think; but when I once expressed this belief to a Unitarian minister, whom I met in the West of England, he received it with surprise and refusal. He said that in his own immediate circle, at least, his friends were interested and increasingly interested in America, what she was and what she meant to be, and still looked toward her for the lead in certain high things which Englishmen have ceased to expect of themselves. My impression is that most of the most forward of the English Sociologists regard America as

a back number in those political economics which imply equality as well as liberty in the future. They do not see any difference between our conditions and theirs, as regards the man who works for his living with his hands, except that wages are higher with us, and that physically there is more elbow-room, though mentally and morally there is not. Except a little in my Unitarian minister, and this only conjecturally, I did not encounter that fine spirit which in Old England used to imagine the New World we have not quite turned out to be; but once I met an Englishman who had lived in Canada, and who, gentleman-bred as he was, looked back with fond homesickness to the woods where he had taken up land, and built himself a personable house, chiefly with his own hands. He had lived himself out of touch with his old English life in that new country, and had drawn breath in an opener and livelier air which filled his lungs as the home atmosphere never could again.

IX.

Yet he was standing stiffly up for himself, and strewing his convictions and opinions broadcast as the English all do when pressed by circumstance, while we, with none of their shyness, mostly think our thoughts to ourselves. I suppose we do it because we like better than they to seem of one effect with the rest of our kind. In England one sees a variety of dress in men which one rarely sees at home. They dress there not only in keeping with their work and their play, but in the indulgence of any freak of personal fancy, so that in the street of a provincial town, like Bath for instance, you will encounter in a short walk a greater range of trousers, leggings, caps, hats, coats, jackets, collars, scarfs, boots and shoes, of tan and black, than you would meet at home in a month of Sundays. The differences do not go to the length of fashions, such as reduce our differences to uniformity, and clothe, say, our legs in knickerbockers till it is found everybody is wearing them, when immediately nobody wears them. Only ladies, of fashions beyond men's, gratify caprices like ours, and even these perhaps not voluntarily. In the obedience they show to the rule that they must never wear the same dinner or ball gown twice, it was said (but who can ever find out the truth of such things?) that they sometimes had sent home from the dressmakers a number of dresses

on liking, and wore them in succession, only to return them all but one at last as not liked, the dressmaker having found her account in her work being shown in society.

I do not know just what is to be inferred from a social fact or statement like this, but I may say that the devotion to an ideal of social position is far deeper with the English than with us. Whether we spend more or not, I believe that the English live much nearer their incomes than Americans do. I think that we save more out of our earnings than they out of theirs, and that in this we are more like the Continental peoples, the French or the Italians. They spend vastly more on state than we do, because, for one thing, they have more state to spend on. A man may continue to make money in America, and not change his manner of living till he chooses, and he may never change it. Such a thing could not happen to an Englishwoman as happened to the elderly American housewife who walked through the magnificent house which her husband had bought to surprise her, and sighed out at last, "Well, now I suppose I shall have to keep a girl!" The girl would have been kept from the beginning of her husband's prosperity, and multiplied, till the house was full of servants. If you have the means of a gentleman in England, you must live like a gentleman, apparently; you cannot live plainly, and put by, and largely you must trust to your life-insurance as the fortune you will leave your heirs. It cannot be denied that the more generous expenditure of the English adds to the grace of life, and that they are more hospitable according to their means than we are; or than those Continental peoples who are not hospitable at all.

X.

A thing that one feels more and more irritatingly in England is that, while with other foreigners we stand on common ground, where we may be as unlike them as we choose, with the English we always stand on English ground, where we can differ only at our peril, and to our disadvantage. A person speaking English and bearing an English name, had better be English, for if he cannot it shows, it proves, that there is something wrong in him. Our misfortune is that our tradition, and perhaps our inclination, obliges us to be un-English, whereas we do not trouble ourselves to be un-French, or un-Italian, for we are so by nature. The effort involved in distinguishing ourselves breeds a sort of annoyance, or

call it no more than uneasiness, which is almost as bad as a bad conscience; and in our sense of hopeless perdition we turn vindictively upon our judge. But that is not fair and it is not wise; he does not mean to be our judge, except when he comes to us for the purpose; in his own house, he is civilly unaware of putting us to any test whatever. If you ask him whether he likes this thing or that of ours, he will tell you frankly; he never can see why he should not be frank; he has a kind of helplessness in always speaking the truth; and he does not try to make it palatable.

An English Radical, who would say of his King no more than that he was a good little man, and most useful in promoting friendship with France, was inclined to blame us because we did not stay by at the time of our Revolution, and help them fight out as Englishmen the fight for English freedom. He had none of the loyalty of sentiment which so mystifies the American, but plenty of the loyalty of reason, and expected a Utopia which should not be of political but of economical cast. But one was always coming upon illustrations of the loyalty of sentiment with which of course one could have no quarrel, for their patriotism seldom concerned us, except rather handsomely to include us. The French have ceased to be the hereditary enemy, and the Russians have now taken their place in the popular patriotism. I always talked with the lower classes, when I could, perhaps because I felt myself near them in my unworthy way, and one evening in a grassy lane I made the acquaintance of a friendly man letting his horse browse the wayside turf. He was in the livery-stable line, but he had been a soldier many years. Upon this episode he became freely autobiographical, especially concerning his service in India. He volunteered the declaration that he had had enough of war, but he added, thoughtfully, "I should like to go out for a couple of years if there was any trouble with Russia."

The love of England comes out charmingly in the swarming of English tourists in every part of their country. Americans may sometimes outnumber them at the Continental shrines, but we are in a pitiful minority at the memorable places in England; in fact we are nowhere beside the natives. I liked their fondness for their own so much that I never could feel the fine scorn for "trippers" which I believe all persons of condition ought to assume. Even when the trippers did not seem very intelligently

interested in what they saw, they were harmlessly employed, for a scene of beauty, or of historic appeal, could not be desecrated by the courtships which are constantly going on all over England, especially at the holiday seasons.

The English are, indeed, great holiday-makers, even when past the age of putting their arms around one another's waists. The many and many seaside resorts form the place of their favorite outings, where they try to spend such days and weeks of the late summer as their savings will pay for. It is said that families in very humble station save the year round for these vacations, and, having put by twelve or fifteen pounds, repair to some such waterside as Blackpool, or its analogue in their neighborhood, and lavish them upon the brief joy of the time. They take the cheaper lodgings, and bring with them the less perishable provisions; and lead a life of resolute gayety on the sands and in the sea, and at the pier-ends where the negro minstrels and the Pierrots, who equally abound, make the afternoons and evenings a delight which no one would suspect from their faces to be the wild thing it is. If they go home at the end "high sorrowful and cloyed," there is no forecast of it in their demeanor, which is as little troubled as it is animated. The young people are even openly gay, and the robustness of their flirtations adds sensibly to the interest of the spectator. Our own public lovers seem of a humbler sort, and they mostly content themselves with the passive embraces of which every seat in our parks affords an example; but in England such lovers add playful struggles. A favorite pastime seemed to be for one of them to hold something in the hand, and for the other to try prying it open. When it was the young man who kept his hand shut, the struggle could go on almost indefinitely. I suppose it led to many engagements and marriages.

When the young people were not walking up and down, or playfully scuffling, they were reading novels; in fact, I do not imagine that anywhere else in the world is there a half, or a tenth part, so much fiction consumed as in the English summer resorts. It is probably of the innutritious lightness of pop-corn; I had never the courage to look at the volumes which I could so easily have overlooked; but I am sure it was all out of the circulating library. As there were, of course, ten young women to one man, most of the girls had to content themselves with the flirtations in the

books, where, I dare say, the heroines were always prying the heroes' hands open. On every seat one found them poring upon the glowing page, and met them in every walk with a volume under the arm, and another clasped to the heart. At places where the band played, and they were ostensibly listening to the music, they were bowed upon their books, and the flutter of the turning leaves almost silenced the blare of the horns. By what inspiration they knew when "God Save the King" was coming, and rose with a long sigh heaved in common, I should not be able to say. Perhaps they always reached the end of a story at the time the band came to that closing number, or perhaps they felt its imminence in their nerves. The fiction was not confined to the young girls, however. Both sexes and all ages partook of it; I saw as many old girls as young girls reading novels, and mothers of families were apparently as much addicted to the indulgence. I suppose they put by their books when they took tea, which is the other most noticeable dissipation in England. But I cannot enter upon that chapter; it is too large a theme; I will say merely that as the saloons are on Sixth Avenue, so the tea-rooms are in every part of the island.

XI.

It had seemed to me in former visits to England that the Christian Sabbath was a more depressing day there than here, but from the last I have a more cheerful memory of it. I still felt it dispiriting in London, whence as many fled from it as could, and where the empty streets symbolized a world abandoned to destruction; but this was mainly in the forenoon. Even then, the markets and fairs in the avenues given up to them were the scenes of an activity which was not without gayety, and certainly not without noise; and when the afternoon came, the lower classes, such as had remained in town, thronged to the public houses, and the upper classes to the evening parade in the Park. As to the relative amount of church-going, I will not even assume to be sure; but I have a fancy that it is a rite much less rigorous than it used to be. Still, in provincial places, I found the churches full on a Sunday morning, and all who could afford it hallowed the day by putting on a frock coat and a top hat, which are not worn outside of London on week-days. The women, of course, were always in their best on Sun-

day. Perhaps in the very country the upper classes go to church as much as formerly, but I have my doubts whether they feel so much obliged to it in conformity to usage, or for the sake of example to their inferiors. Where there are abbeys and minsters and cathedrals, as there are pretty well everywhere in England, religion is an attractive spectacle, and one could imagine people resorting to its functions for æsthetic reasons.

But, in these guesses, one must remember that the English who remained at home were never Puritanized, never in such measure personally conscienced, as those who came to America in the times of the successive Protestant fervors; and that is a thing which we are apt to forget. The home-keeping English continued, with changes of ritual, much like the peoples who still acknowledged as their head "the Bishop of Rome." Their greater morality, if it was greater, was temperamental rather than spiritual, and leaving the church to look after religion much more than our Puritans did, they kept a simplicity of nature impossible to the sectaries always taking stock of their souls. In fact, the Calvinists of New England were almost essentially different from the Calvinists of Holland, of France, even of Scotland. If our ancestors were the children of light, as they trusted, they were darkened by the forest, into which they plunged, to certain reasons which the children of darkness, as the Puritans believed the non-Puritans to be, saw by the uncertain glimmers from the world about them. There is no denying that with certain great gains, the American Puritans became, in a worldly sense, provincialized, and that if they lived in the spirit, they lived in it narrowly, while the others who lived in the body, lived in it liberally, or at any rate handsomely. From our narrowness we flattered ourselves that we were able to imagine a life more broadly based than theirs, or at least a life from which theirs must look insufficient and unfinal, so long as man feels within himself the prompting to be something better or higher than he is. Yet the English life is wonderfully perfected. With a faery dream of a king supported in his preeminence by a nobility, a nobility supported in turn by a commonalty, a commonalty supported again by a proletariat resting upon immeasurable ether; with a system of government kept, by assent so general that the dissent does not matter, in the hands of a few families reared, if not trained, to power; with a society so intimately and thoroughly self-acquainted that one

touch of gossip makes its whole world kin, and responsive to a single emotion; with a charity so wisely studied, and so carefully applied, that restive misery never quite grows rebellious; with a patriotism so inborn and ingrained that all things English seem righteous because English; with a willingness to share the general well-being quite to the verge, but never beyond the verge, of public control of the administration; with all this, the thing must strike the unbelieving observer as desperately perfect. "They have got it down cold," he must say to himself, and confirm himself in his unfaith by reflecting that it is very cold.

XII.

The best observer of England that ever was, he whose book about the English makes all other comment seem idle and superfluous palaver, that Ralph Waldo Emerson whom we always find ahead of us when we look back for him, was once, as he relates in a closing chapter of "English Traits," brought to bay by certain great English friends of his, who challenged him to say whether there really were any Americans with an American idea, and a theory of our future. "Thus challenged, I bethought myself neither of Congress, neither of President nor of cabinet ministers, nor of such as would make of America another Europe. . . . I opened the dogma of no-government and non-resistance, and anticipated the objections and the fun, and procured a kind of hearing for it. I said, It is true that I have never yet seen in any country a man of sufficient valor to stand for this truth, and yet . . . 'tis certain, as God liveth, the gun that does not need another gun, the law of love and justice alone, can effect a clean revolution. . . . I insisted . . . that the manifest absurdity of the view to English feasibility could make no difference to a gentleman; that as to our secure tenure of our mutton-chop and spinage in London or in Boston, the soul might quote Talleyrand, '*Messieurs, je n'en vois pas la nécessité.*'" In other words, Emerson laid before his great English friends a programme, as nearly as might then be, of philosophical anarchism, and naturally it met with no more acceptance than it would if now presented to the most respectable of his American readers. Yet it is never to be forgotten that it was the English who, with all their weight of feudal tradition, and amidst the nightmares to which their faery dream seemed so long subject, invented the only form of Democratic

Christianity the world has yet known, unless indeed the German Mennonites are the same as the earlier English Quakers were in creed and life. In the pseudo-republic of the Cromwellian commonwealth the English had a state as wholly without liberty, equality and fraternity as in the king-capped oligarchy they had before and have had ever since. We may be sure that they will never have such another commonwealth, or any resembling ours, which can no longer offer itself as an eminent example. The sort of Englishmen of whose respect we can make surest are those English thick-and-thin patriots who admire force and strength, and believe that it is the Anglo-Saxon mission to possess the earth, and to profit by its weaker peoples, not cruelly, not unkindly, yet unquestionably. The Englishmen of whose disrespect we can make surest are those who expect to achieve liberty, equality and fraternity in the economic way, the political way having failed; who do not care whether the head of the state is born or elected, is called "King" or called "President," since he will presently not be at all; who abhor war, and believe that the meek shall inherit the earth, and these only if they work for a living. They have already had their will with the existing English state, until now that state is far more the servant of the people in fetching and carrying, in guarding them from hard masters and succoring them in their need, than the republic which professes to derive its just powers from the consent of the governed. When one encounters this sort of Englishman, one thinks silently of the child labor in the South, of the monopolies in the North, of the companies which govern while they serve us, and one hopes that the Englishman is not silently thinking of them too. He is probably of the lower classes, and one consoles one's self as one can by holding one's head higher in better company, where, without secret self-contempt, one can be more openly proud of our increasing fortunes and our increasing territory, and our warlike adequacy to a first position among the nations of the world. There is no fear that in such company one's national susceptibilities will be wounded, or that one will not be almost as much admired for one's money as at home. I do not say quite, because there are still things in England even more admired than money. Certainly a very rich American would be considered in such English society, but certainly he would not be so much considered as an equally rich Englishman who was also a duke.

I cannot name a nobleman of less rank, because I will not belittle my rich countryman, but perhaps the English would think differently, and would look upon him as lower than the latest peer or the newest knight of the King's creation. The King, who has no power, can do almost anything in England; and his touch, which is no longer sovereign for scrofula, can add dignity and give absolute standing to a man whose achievements merit it, but who with us would fail of anything like it. The English system is more logical than ours, but not so reasonable. The English have seen from the beginning inequality and the rule of the few. We can hardly prove that we see, in the future, equality and the rule of the many. Yet our vision is doubtless prophetic, whatever obliquities our frequent astigmatism may impart to it. Meantime, in its ampler range there is room for the play of any misgiving short of denial; but the English cannot doubt the justice of what they have seen without forming an eccentric relation to the actual fact. The Englishman who refuses the formal recognition of his distinction by his prince is the anomaly, not the Englishman who accepts it. Gladstone who declines a peerage is anomalous, not Tennyson who takes it. As part of the English system, as a true believer in the oligarchically administered monarchy, Gladstone was illogical, and Tennyson was logical.

W. D. Howells.

THE INDIAN TOUR OF THE PRINCE OF WALES.

BY THEODORE MORISON.

THE future King of England is visiting India this autumn, and the event has a political importance which a similar visit could not possess in a European country. The difference between the political antecedents of India and of the self-governing communities of the West causes the two peoples to set a curiously different value upon the sentiment of loyalty. The remark is true, not only of the loyalty due to a sovereign, but of the willing and spontaneous obedience which is offered to any leader. In the Western Hemisphere loyalty is a temperate sentiment, which seldom overrides the right of private judgment; in India, it is understood to imply unquestioning self-surrender. The reason of the difference is obvious enough. The people of the West have been in the habit of combining together to attain political ends; men have grouped themselves to support or attack certain principles of government; and, in consequence of the existence of political ideals, it has become part of our ethical creed to put measures before men. But the mental activity of India has never been exerted in the direction of politics; and, in the jarring elements which made up the Empire, men looked in vain for a general coordinating principle which would provide a theory of government.

The forces which generally tend to give cohesion to modern nations—religion, race and language—are in India generally antagonistic to the unity of the State. Religion, even in Europe, has as often been a cause of dissension as of union; but in India there is a multitude of religions mutually hostile which are essentially opposed to national unity; neither can race in India afford any common bond of union by the system of caste, for the

population is split up into so many impervious compartments. Not only do the people come of different races, but the system of caste tends to keep each race separate and to prevent fusion. India is, also, without the unifying influence of a common language and a common literature; it actually happens that the most widely diffused language, Hindustani, is written in two different characters, for Mohammedans generally use the Persian and Hindus the Sanskrit alphabet, so that what should be one literature is artificially divided into two.

A population so distracted cannot find principles of cohesion in the political theories which have united the people of the West. In the midst of these incongruous claims upon their allegiance there is only one political idea which all men can unite to uphold; and that is common obedience to an individual leader. And it is because the people of India have instinctively realized that obedience to a common ruler was the only principle of cohesion possible to them that they have exalted personal loyalty to the rank of a cardinal virtue. Owing to the absence of political life, civic virtues are, on the whole, rarer in India than in the West; but this one virtue of faithfulness to the hand that gives the salt commands their whole-hearted devotion; and conversely *namak param,* or faithless to the salt, is a term of intolerable blame. This exaltation of obedience, this honor paid to self-effacement, tended of course to strengthen irresponsible despotism, but even despotism is preferable to anarchy; and it was a sure instinct which selected for popular approval the one Indian sentiment which made for political security. It was the same popular instinct which could find no principle of political cohesion except in obedience to the monarch that led the people to lavish upon him titles of tenderness which we are surprised to find applied to an Oriental despot; in popular language the King is invoked as the "Bulwark of the World"; even so unromantic a potentate as the workaday English official is habitually addressed as "Protector of the Poor."

Unfortunately, the present system of government in India was not designed with a view to fit it to the political temperament of the people. It has, indeed, achieved auspicious success in providing the material advantages of good government; it has given the country peace in place of internecine war; it has built roads, railways, and canals and organized excellent postal, forest and

statistical departments; but it has failed to touch the hearts of the people; it affords them no opportunity of gratifying their one political instinct, for it affords no scope for the exercise of personal loyalty. It is so absolutely impersonal that a forgotten humorist of the Civil Service used to describe it as "government by a despatch-box, occasionally tempered by the loss of the key." The official theory is that the local officers are but cogs and wheels in the administrative machinery, and their activity is controlled by regulations and circulars based upon the statistical information which is tabulated at headquarters; as one officer may be assumed to be as competent as another to execute orders, the Secretariat does not scruple to transfer either of them from one end of the country to the other. Every officer, from the Viceroy down to the District Superintendent of Police, is constantly on the move; and the people, bewildered by the rapid succession of unfamiliar magistrates, are unable to fix their affections upon any individual personification of government.

But, in spite of the uncongenial character of the administration, the people have found a way to gratify their national instinct; they have, as it were, discovered the sovereign for themselves and magnified his importance in the government of India. In a strictly practical interpretation of the constitution, the Emperor of India does not exercise much influence upon the course of public affairs; he very rarely addresses his Indian subjects directly, nor are Government measures taken in his name to the same extent as in England; and yet, in the thoughts of the people, he occupies a position of predominant importance. It is to him that their sincerest loyalty is offered; and probably the only sentiment which is without reservation favorable to the existing order is the affection felt for the Royal Family. Reason may convince the people that the English domination is preferable to any possible alternative, but it cannot make that domination palatable, whereas their hearts prompt them to offer their unselfish allegiance to the person of the King. I believe it is no exaggeration to say that King Edward is, politically, the most powerful personage in India; if the country were reduced to anarchy, he would have a much better chance than any other aspirant of obtaining the supreme control.

The death of Queen Victoria was the occasion of an exhibition of feeling the profoundness of which surprised even the

natives of the country; they declared that women, secluded from the world in the female apartments, were weeping for the loss of the Great Queen. I saw men in public places shed tears as upon the occasion of a great public calamity. It is said that in the villages, to which the news spread with amazing rapidity, men foreboded the coming of great trouble; the Bulwark of the World was dead; who in future, they asked, would shield them from adversity? It is, of course, true that the nobility of the late Queen's character inspired a peculiar tenderness and reverence among her Indian subjects, which occasionally manifested itself in forms that the well-educated West would condemn as superstitious. It was, for instance, rumored among the common people of Bombay that the plague was a punishment sent by Heaven upon that city because an unknown malefactor had disfigured the statue of the Queen, and public opinion appears to have acquiesced in the righteousness of the judgment. But, even in the Queen's lifetime, it was recognized that the warm feelings of loyalty which she evoked were owed to her family and not only to herself. I knew an old Mohammedan official who used to be very indignant at the importance of Gladstone in the settlement of public affairs. "Gladstone! Who is Gladstone?" he used to say; "he is a Government servant like myself; why should I give way to his judgment? Now, if it were the Prince of Wales [the present King] I would give my life for him!"

Such being the state of Indian feeling, it will readily be understood why the visit of the Prince of Wales is an event of great political importance. The loyalty felt for a shadowy personage, of whom the people know only by hearsay, becomes tenfold more real and definite when it is associated with a concrete personality; and the object of the present tour is to bring the Prince into personal contact with the people over whom he is one day to reign. From this tour they will derive an impression of what manner of man the future Emperor of India is, and these impressions will be circulated and become part of the general opinion of the country. It is surprising how many stories are still repeated in Indian society about the visit of King Edward, and they all illustrate that considerate courtesy which the people of India have recognized as his distinctive characteristic and by means of which he was able, according to the stories, to find a way out of the novel embarrassments with which he

was sometimes confronted in India. It is related, for instance, that he was once entertained at a state dinner by an Oriental potentate who was little familiar with the social customs of the West. While he was talking to his royal guest, a servant handed him a dish of potatoes, into which the chief, lapsing unconsciously into the simplicity of Eastern manners, dipped his hand and took out a potato with his fingers. He was covered with confusion upon realizing the indecorum of his behavior; thereupon King Edward signed to the servant to hand the dish to him, and, dipping his hand into it, took out a potato and ate it with his fingers in the sight of the whole table. I do not know whether the story is apocryphal or not, but it certainly reflects the opinion which his Indian subjects have formed of King Edward. And there is no doubt that, from the royal visit this winter, stories will be put into circulation which will summarize the Indian reading of the Prince's character.

The royal party is to go over very much the same ground as is covered by the ordinary cold-weather visitor to India; but the object of this extensive tour is not primarily to see the sights of India, but to become acquainted with as many classes and types of Indian society as possible. The Prince's plan was to land early in November in Bombay, a city in which, more than anywhere else, Indian society has assumed a Western complexion. Even the Indian ladies, everywhere the most vigorous opponents of European innovations, have relaxed something of their conservatism in Bombay, and appear in public places in the inimitable grace of their silken draperies. From the bustling streets of Bombay the Prince will pass into the medieval quiet of Rajputana. As in each little state he draws near the capital that nestles at the foot of the rocky citadel, the Rajah will come forth to meet him on a towering elephant, followed by his feudal retainers armed with spears and matchlocks. Thence the Prince goes to the Panjab as far north as Peshawar, a city of central Asia rather than India, whose bazars are thronged with Afghans, Turcomans and Persians. From this point he turns south to Delhi, where it is officially announced that he will inspect Lord Kitchener's camp, and in no place could the heir of Akbar and Shah Jehan more fittingly receive the homage of the Indian army than in the city of the Great Moghul. The historic capital of Hindustan has been shorn of most of its splendor, and on one

side presents a melancholy picture of desolation. For miles to the southwest the ruins of mosques and fortresses encumber the fields, the corn stands high in the courtyards of palaces, and the peasant used, until the coming of Lord Curzon, to stable his cattle in the tombs of forgotten kings.

From Delhi, the Prince will proceed through Agra, Gwalior and Lucknow to Calcutta, the official capital of British India, where, no doubt, will be presented to him the various dignitaries who make up the Government of India. But Calcutta is not primarily an official city, it is the capital of Bengal and the centre of the intellectual activity of the Bengalis, who, whether for good or for evil, exercise a very considerable influence upon opinion throughout India. The politicians of Calcutta are, perhaps, the least temperate of the critics of the Indian Government; but, for that very reason, it is desirable that the Prince should have an opportunity of meeting a few of the foremost public men of Bengal. The great service which the Prince can render to the state, and which can only be rendered by himself or the King, is to strengthen by personal ascendency the ties of loyalty to the Crown, and in no province is this service more needed than in Bengal. The Prince cannot, of course, allay political discontent; but he may generate another sentiment which would counteract the secessionist tendency.

Upon this, his first, visit the Prince can only take a hasty survey of the social and political problems of India; but even this might be highly important, if it were looked upon as a preliminary investigation to ascertain whether the great political potentialities of the Royal Family could not be employed to serve a great public end. The question to be considered is whether the Prince of Wales, or, failing the Prince of Wales, some other member of the Royal Family, could not be brought into the Government of India. The following outline of the part which the Prince might play in the administration is merely intended to suggest a basis of discussion. Under the present system, the head of the Indian Government is known indifferently as the Viceroy or as the Governor-General, and he discharges two distinct functions which need not necessarily be united in the same person. He is, in the first place, the representative of the Sovereign and, as such, discharges a number of important social and ceremonial duties; and he is, secondly, a very hard-worked

minister, who exercises an active supervision over all the departments of Government. I submit that these two functions might in future be separated. The Prince of Wales, or some other member of the Royal Family, might be created Viceroy of India to act as the representative of the King-Emperor; and the duties of the Governor-General might then be discharged by a private person, who would be the First Minister of the Crown; in Indian phraseology, the Prince-Viceroy would be the Rajah and the Governor-General would be his Diwan. The functions to be assigned to the Governor-General present no difficulty, for they would be substantially the same as he discharges at present in his ministerial capacity; he would simply be relieved of the duty of representing the Sovereign, and would thus gain leisure and quiet in which to devote himself to the business of the State.

The position of the Prince-Viceroy in the Government must be more precisely defined. Substantially, he would play the same part in India as is played in Europe by a constitutional monarch; he would stand aloof from politics and not interfere personally in the administration, but on all public occasions he would appear as the representative of the Emperor. In British India alone, investitures, reviews and entertainment of foreign notables constitute a considerable tale of work; and, in addition to these, there is the enormously important duty of receiving the feudatory chiefs, who, between them, govern as much as one-third of the Indian continent. These are functions which are at present discharged by the head of the Indian Government, though necessarily in a somewhat perfunctory manner. It would be a public gain that they should be transferred to a Royal Prince, who would bring to them greater leisure and long familiarity with courtly ceremonial. But, in addition to these duties, there is a great work to be accomplished which can only be undertaken by an official head of society. Ever since the English took over the government of the country, Indian society has been deprived of its natural leaders; there has never been, properly speaking, a court at Simla or Calcutta, and the heads of Government in the district capitals have been hard-worked English officials, who have had neither leisure nor aptitude to take the lead in Indian society. But the need of some recognized head of society is every year being more keenly felt as Indians are reconstructing their social life upon European lines. The most vitally

important questions of the day in India are not political but social questions, and it is in the solution of these great problems that the most important duties of the Prince-Viceroy would lie, and in regard to which he would be able to exercise a far greater beneficial influence than any minister who is necessarily associated with controversial politics. The Prince-Viceroy would naturally associate himself with all the movements by which the people aim at promoting the prosperity of the country by their own exertions—such, for instance, as the spread of education, the amelioration of the condition of woman's life, the development of agriculture and the economic resources of the country; and his countenance would in a variety of ways give strength and importance to that large number of social movements which nowadays absorb the energies of the most earnest public men in India. This is a domain in which the sympathetic cooperation of Englishmen is always highly valued. The countenance of the Prince-Viceroy would speed the cause of social reform and be enthusiastically welcomed by Indian philanthropists; it would also win for him devoted adherents among the most eminent public men of India. His cooperation would necessarily be confined to non-controversial movements, but that would not materially curtail the scope of his activities, as the great obstacle to reform in India is not prejudice but apathy. The great object which the Prince-Viceroy could achieve would be the creation of the habit of working with the head of the Government, and of looking to the representative of the Emperor for encouragement and guidance in the attainment of public ends.

There will necessarily always be considerable divergence of opinion between English officials and Indian politicians upon the extent to which the administration can be entrusted to the people of the country, and the estrangement which this unending controversy breeds shows no signs of closing up, and thus a disruptive tendency is created which there is nothing in the present system to counteract. But, as already pointed out, a valuable conservative spirit will be evoked when the head of the Government is intimately associated with an influential body of men who are known to be working for the public good; and thus the association of the Prince with the leaders of Indian opinion, joined to the genius of the Indian people for loyalty, might in time create a sentiment averse to a rupture from the British Crown.

A Viceroy who would exercise such an influence upon Indian opinion would have to stay longer in the country than the five years which are at present allotted to him by constitutional custom; a term of ten years would not be too long for such a task. That is a considerable portion of his life for any man to spend away from home, but the high sense of public duty which is traditional in the descendants of Queen Victoria is a ground for believing that the Prince would not refuse to make this sacrifice. It may also not unreasonably be urged that, since the Himalayas and the uplands of the Neilgherries have become accessible from the plains, India is no longer an unpleasant or unhealthy country to live in, and the Prince-Viceroy would not be debarred from visiting Europe during his tenure of office, and for his exile there would be compensations in the supremely important and interesting character of his work. It might, no doubt, be urged that of all the Royal Princes England would least willingly spare the Prince of Wales; but no member of the Royal Family could attempt the task which lies before him in India so successfully as the Heir Apparent; for, even when he had returned to England and mounted the throne, his Hindu and Mohammedan subjects would remember that the Emperor of India was the man whom they had served and with whom they had worked in earlier days, and their loyalty to the Crown would be real, vivid and personal.

I feel sure that the true basis of Imperial rule in India is to be sought in the loyal affection of the people for the Royal Family and that political stability cannot be secured by the extension of popular government. The reason for this is that loyalty to an individual is in the first place congenial to the temper of the people, and that in the second it spares them the humiliation which must otherwise necessarily attach to the domination of one race over another. It is already evident that the concession of merely political privileges will not allay the rising tide of disaffection; the shortcomings of the Government are not the real causes of this discontent, but the ignominy of being a conquered people. This is a grievance which cannot be removed as long as they are constrained by force to remain within the circle of the British Empire, unless they can acquire the habit of feeling that their allegiance is not offered to the British people, but to the Emperor who sits upon the throne of Asoka and Shah Jehan.

THEODORE MORISON.

INSURANCE FOR WORKING-MEN.

BY FRANK A. VANDERLIP.

EVERY business man recognizes the changes which have been going on in industrial life in the last generation. There have been tendencies toward specialization and concentration. There has been a remarkable application of mechanical aids. We have been working toward production on a vast scale. This has created an industrial army the rank and file of which tend more and more toward becoming mere automatic wheels in the great industrial organization. The new industrial order has made a new social order. There is to-day no such thing as industrial independence possible for a working-man. He must become subject to regulations in common with his fellows, and work in harmony with the new industrial conditions.

So long as the individual can actively fill his place in this new order of affairs, his condition shows great improvement in many respects. The moment he gets out of harmony with the whirl of the industrial machine, however, the moment that sickness overtakes him or accident injures him or old age reduces his power to keep in step with the industrial march, his condition is likely to become incomparably more unfortunate than would have been the case under similar circumstances in earlier times.

All business men recognize clearly enough a changed order of affairs in industrial and commercial life. They know that they must shape their business methods so as to harmonize with the new order of things. They know that they must cooperate in many ways with their fellows, must share with them their risks, must help to sustain them in their misfortunes. They know that they have lost in the new order of things a certain amount of independence. It ought not to be difficult, then, for them to see that their employees are also in the midst of a changed condition,

and that principles which apply to the relations between the State and citizens have been undergoing change. I believe that the reason why manufacturers are interested in the subject of working-men's pensions is to be found in the fundamental change which has been going on in industrial affairs. Their interest logically follows the evolution of economic laws; and, if we are to seek for a secure foundation upon which to rest judgment in regard to this question of working-men's pensions, we will find it in an analysis of economic conditions rather than in sentimental consideration or charitable ebullition.

Nations older than we are came earlier to a consideration of this subject. The place where the greatest progress has been made in an experiment in working-men's pensions is Germany. The German system of working-men's insurance is the most important experiment in progress in the world, in the way of a government-aided sociological institution. The importance of it is hardly understood in America, nor is its extent realized. It pervades every phase of the industrial field. Twenty millions of Germany's fifty-six millions of population are eligible to these benefits; and the cost of administration falls alike on these beneficiaries and upon all other citizens of the Empire. The total receipts, from its organization up to the end of this year, will have aggregated almost $2,000,000,000. The receipts this year will approximate $150,000,000. A satisfactory feature of the German state insurance system is that the benefits paid out correspond very closely with the premiums paid in. The expense of administration, considering the enormous number of individuals concerned and the fact that weekly contributions are collected from employees, is surprisingly small. It averages under nine per cent.

There are three great divisions of working-men's insurance in Germany. These are insurance against sickness, against accident and against want in old age. The fund for insurance against sickness is provided in the main by the employees; the employers contribute, roughly, one-third and the workmen two-thirds. Employers are charged with the entire burden of maintaining the accident insurance fund; while the fund for old-age insurance is contributed to equally by employers and employees, and is augmented by a subsidy from the Government, which is nearly equal to the total expense of administering the whole system.

It is quite impossible to enter into a detailed explanation of the German system of working-men's insurance. I know of no other problem of administration where the details are so complicated. Not only are there three distinct systems of insurance, but there are complications of Government participation in the funds and of a division of the authority of administration between Government officials and some twenty-five thousand local organizations. Whatever view one might hold in regard to the benefits of the system, there could be no difference of opinion in regard to this method of administration. It is certainly too complicated to transplant to any other country.

The principles underlying the theory of German workmen's insurance might be briefly summarized in this way: The German nation was, in a few years, transformed from an agricultural country into an industrial State. An evolution at the same time was in progress in the field of industry, which resulted in the highest specialization of work and the greatest development of the factory system. These all combined to create a practically new social order of things, and necessitated an enunciation of new principles in regard to the duty of the community toward the individual. These principles are fundamental in character and novel in political life. The Germans argue that, no matter how free they may be politically, they cannot possibly be economically independent because of the intricate and complicated modern system of industry. The individual in spite of himself becomes a part of the industrial order and is so placed that it is difficult, if not impossible, for him to extricate himself from his misfortune should he be overtaken by accident or sickness, or should he reach a dependent old age. In the new industrial order, the liability to accident is greatly increased, and that in itself demands new means for meeting such a condition.

The development of the working-men's insurance idea in Europe has been, in large measure, the logical result of efforts to reform the law relating to the liability of employers for accidents to their employees. Under the old law, the employer was responsible only for accidents which resulted directly from his fault or the fault of his agents, and he bore the consequence only after the injured employee succeeded in legally establishing the proof of that fault. Europe has seen more plainly than we have the injustice of such a condition.

When such legal principles were evolved, establishments were small, the employer was in intimate relation with the employee, and it was comparatively easy to determine the responsibility. With the growth of large-scale production and the introduction of complicated and dangerous machinery, the whole system became so complex that it was extremely difficult to trace responsibility. The result was that, as a rule, the full weight of suffering from an accident fell upon the injured employee. Here in America we have gone even further. We have perfected organizations for insuring, not the employee against accident, but the employer against liability. These organizations are not to indemnify the injured, but rather to indemnify the employer for the costs of fighting in the courts the claims of the injured. No doubt, employers have not been without reason for wishing such indemnification. There are professional damage-hunters, and lawyers who might better be in jail than in court. There are juries which have determined verdicts on the consideration whether or not the defendant was a corporation, rather than upon the facts presented to them; but even these evils do not warrant the manner in which we throw the burden of accidents upon the injured.

Accident insurance, as developed in Germany, has been something more than merely the providing of an indemnity. It has been, in fact, an insurance against accidents. This definite placing of the responsibility for accidents has led to much study by employers and employees of regulations providing for safeguards. Such study has accomplished remarkable results in the reduction of the number of accidents, and has become a great economic factor in removing the danger from the industrial calling. Under the influence of this study, the frequency of accidents has been reduced one-half. Viewed from an economic standpoint alone, the saving which has resulted in the national economy has been a vast sum. We are strikingly careless of life in America. The statistics of railway injuries and fatalities are a disgrace. In the rush of our industrial expansion we have neglected to provide many of the obviously necessary safeguards. From whatever aspect we may regard the subject, we will, on any broad view of it, find that the adoption of some of the European regulations and safeguards will be of great national advantage.

The second division of the German insurance system, and the one that seems to have most fully demonstrated its value, is the

sick insurance fund. Apart from the more obviously advantageous features of this sick insurance system, there are others which are of the highest economic importance and well worth emphasizing. The system is having a profound effect on the whole physical welfare of the German nation. The general level of vitality, and hence of working capacity, is being distinctly raised as a result of it. The activities in the sick insurance field are not confined to the mere payment of the indemnity during a period of illness. The sick insurance not only makes it possible for a workman who is ill to take at once the necessary time for recovery, but it provides him with the best medical attention while he is ill; and, while in health, it gives hygienic supervision and instruction which are of the greatest value in preventing sickness. Under the operation of this system, there is being spent, in the most intelligent manner, something like $50,000,000 a year in the treatment and care of the sick.

The testimony in regard to the value of the work done in the sick insurance system is almost universally favorable. It would be hard to calculate its economic importance, but it is so great that it has become one of the leading factors in helping Germany to the industrial preeminence which she is gaining.

There is undoubtedly, here and there, ground for criticism. Lazy patients occasionally sham illness. There are workmen who would rather lie in bed with a small income than work for a larger one. But the principal effect of this sick insurance is of economic value in the industrial development of the German Empire out of all proportion to the burden which is laid upon employers.

The first two divisions of the German insurance scheme, providing for indemnities against accident and sickness, must commend themselves to every investigator of the subject.

There is now left to consider the third division, the German old-age pension system, which is the least important and the most criticised feature of the German workmen's insurance institution. The contributions which it calls for are very small, and the final pension provision is generally regarded by the workmen as entirely inadequate. Although the employers contribute an amount equal to that contributed by the workmen, and the Government finally adds a considerable subsidy, there still is less general satisfaction among the workmen with this division of the insurance scheme than with the others. The reason for that lies,

in a measure, in the perversities of human nature. The contributions, small as they are, are collected every week, and are a constant reminder to youth of a sacrifice being made for problematical benefits a long way in the future. The benefits of the accident and sick insurance are more directly at hand. The workmen themselves are more intimately related to the administration of the first two funds.

There is a pretty general demand for an increase of the old-age pension. When it is remembered that the contributions from the men range from 6 to 15 cents a week, and that these payments return an annual pension after seventy years of age of $27.50 to $60, it is easily recognized that there is ground for complaint as to the smallness of the amount. There is a general demand among the workmen for a reduction in the age limit. Sixty-five years is considered a desirable time for the pension to begin, rather than seventy.

One incidental feature of the administration of the German system which is proving of very great value is the way in which the sick and accident funds are administered by committees made up of employers and working-men. Employers and workmen come together on common ground. They are working toward common ends. With the responsibility of administration on their shoulders, radical Socialists become conservative. With the broader view which close association with employees brings, the employers are benefited. The fact that, in the twenty-five thousand administrative organizations, workmen and employers have been brought together to give harmonious consideration to the means for accomplishing a common end is proving of immense importance in maintaining pleasant relations between capital and labor.

As the German system of working-men's insurance is the most important experiment of the sort in the world, I have been at some pains to ascertain at first hand just what German manufacturers and men of affairs think about it, feeling that it would be interesting to business men to know what is thought of this institution by German employers. With that in view, I addressed a series of questions to a considerable number of the most prominent manufacturers and other representative men in Germany; and from the replies which I have received, it is clear that, in the main, the views held are distinctly favorable to the institution,

although in the details of its administration there is found ground for criticism. The idea seems to be general that the system works for patriotic loyalty to the Government on the part of the working people. The earlier idea of the State in the workmen's mind was based largely on the policeman, the sheriff and the tax-gatherer. The State always took something. Now a person who watches a post-office money-order department on the first of the month, sees the people drawing their insurance money. For the first time the workman looks upon the State as a giver. More than a million marks a day are paid out to them in this way; and the result, in the way of developing patriotic regard for the Government, is excellent.

None of my correspondents claimed that the effect has been to make the workman contented. The Empire is new. Germany's industrial prominence is new. One cannot separate the effect of this insurance and say that certain good results are due to it alone. That the workman is not content must be admitted, nor is the man who makes a million contented. The workman has had this new set of rights and privileges given to him, and his eyes are opened to the possibilities of more rights and greater privileges. His discontent, however, is due not to faults of the pension system, but rather to a desire for an extension of its benefits.

The system is thought to have a good influence in preventing a tendency toward Socialism. Most of the workmen who are members of the administrative committees are Social Democrats. My correspondents state that it is simply wonderful to see how the most radical political shouters quiet down when they find themselves members of a committee discussing grave matters and charged with the responsibility of important decisions.

I asked my German friends their opinion as to whether or not it would be advantageous for America to adopt a working-men's pension scheme. Their replies to that question are illuminating. This is what the manager of one of the greatest German industries said:

"I think the general opinion in Germany is that in America the creation of large funds under Government control would cause great temptation for their misappropriation. Their collection and distribution would be too dependent upon politics. This opinion seems largely justified in view of the instances of maladministration that so many of your Government Departments have recently furnished. The German opinion is that the American citizen is as yet too individual in his honesty

and efficiency. Collectively, as exhibited in the government of your municipalities and of the State, you seem to us weak in economical and effective business management and financial integrity."

This is not a pleasant criticism, but there is more justice in it than we might wish.

Another correspondent, eminent in both industrial and public life in Germany, says:

"The German nation believes that it can conscientiously recommend the introduction of the system of workmen's insurance into other countries; but, so far as the United States is concerned, such a system does not seem as great a necessity as in other countries. Wages are higher in America and the workmen better capable of providing for the future. There is no doubt that the introduction of compulsory insurance would produce a social line of demarkation between those who are obliged to submit to the law and those who are exempt, and we doubt if the people of America would look upon such a social classification with favor. It cannot be denied that, with the German system, there is a certain amount of tutelage which the American workman, in consequence of his independence, would bitterly resent. Should the system ever be introduced, I do not believe it would be wise to entrust it to the various States. It will be more beneficial if brought under the control of the Federal Government."

In every Continental country, the political questions which occupy the foremost position in parliamentary consideration are measures designed to improve the condition of the laboring population. We are apt to think of ourselves as a republic more swayed by the democratic voice of the people than are other nations. It strikes an American as curious to find that, in monarchical Europe, Governments everywhere are paying the closest heed to the public will. This, of course, is true in small measure in Russia; but in France, Germany, Belgium, Italy and Holland particularly, and in Austria-Hungary and Spain to a less degree, the foremost subjects of legislation are concerned with questions of improving the condition of the laboring people.

With the exception of the United States, all the great Powers of the civilized world pension their civil servants.

The question of civil pensions in the United States is one which deserves serious consideration. The full working out of the merit system in civil service can never be accomplished until we recognize the principle of a pension for superannuated Government employees. There is no other important nation which has not recognized that principle. It is doubtful if there

are any men who have ever been charged with the responsibility of an appointive office in the Government service who have not come to recognize that need, and who have not been won over to the belief that it would be an economy in Government administration if a proper system of civil pensions were devised.

When we turn from the foreign field to what has actually been accomplished in the way of old-age pensions in this country, there will be found much that is interesting. A careful canvass has been made of railroads and large business corporations in America to ascertain the number of such corporations which have been led to adopt some sort of old-age pensions. To an inquiry reaching nearly two thousand corporations, replies show that seventy have adopted some plan for retiring and providing for employees during old age. Without a single exception the corporations which have adopted such a plan expressed the opinion, after having had an opportunity to note its effects, that it is a wise business practice. Among the corporations having a pension system are some of the most important in the United States. Some four hundred companies replied that they had the matter under serious consideration, and that they were convinced that the principle was sound from a business view-point.

More than thirty years ago, the Grand Trunk Railway of Canada adopted a pension system which has been growing in importance and has continually given good reason for commendation from both the officials and the employees. Fifteen years ago, the Baltimore and Ohio followed suit. In 1900, the Pennsylvania Railroad and the First National Bank of Chicago formulated pension systems; and the following year the Pennsylvania Lines West of Pittsburg and the Illinois Central adopted pension plans. In 1902, the Andrew Carnegie Relief Fund, with its $4,000,000 benefaction, was organized; and half a dozen important railroads, including the Southern Pacific, the Chicago and Northwestern and Canadian Pacific, became convinced that the scheme was wise.

The most notable step which has been taken in America was accomplished this year by the great Carnegie benefaction of $10,000,000, for providing pensions for college professors. This act of America's Great Philanthropist has received more approval than any other of his vast benefactions, and it promises a marked and beneficial effect on our system of higher education.

As a rule, those American corporations which have adopted the old-age pension system have treated the matter in the light of deferred wages, the corporations bearing the entire expense of the pension requirements. The method of the Pennsylvania Railroad is typical of this form.

In a word, the Pennsylvania Railroad retires upon a pension all officers and employees compulsorily at the age of seventy, and it may retire them between the ages of sixty-five and seventy, provided they have been thirty years in the service.

The amount of the pension varies with the years of service, and with the average monthly pay for ten years preceding retirement. The average monthly pay for the ten years is the basis and the pension is one per cent. of that amount for each year of service. The Company reserves the right to alter this basis whenever the allowance made under it shall demand an annual expenditure in excess of $390,000.

When the Pennsylvania officials were examining the subject, they found that nearly every important railroad system in the world, outside of America, had provided in some form for the retirement of old employees. The basis of the plans adopted by all the foreign corporations and governments contemplated contributions on the part of the men. That was not in accordance with the ideas of the Pennsylvania officials. In that case, the Company wished to assume all the expense involved; and, in that respect, the practice of the Pennsylvania Company and of most other American corporations is at variance with the accepted practice elsewhere in the world. Another method, of which a typical example is that of the First National Bank of Chicago, provides for contributions to the pension fund by both employer and employee.

In respect to the age of retirement, there is a fair amount of unanimity in all plans. The majority of the schemes fix the age at sixty-five. A number of them, the Pennsylvania Railroad being an example, give some play to the judgment of employing officers so far as the retention of employees between the ages of sixty-five and seventy is concerned. The Carnegie Company retires men at the age of sixty and the Grand Trunk Railway of Canada at the age of fifty-five.

As a general rule, in the plans thus far adopted in this country, specified length of service is required as a condition precedent

to obtaining a pension. The Canadian Pacific, Illinois Central and Baltimore and Ohio Railroads have fixed that term of service at ten years. The Carnegie Company and the First National Bank of Chicago fixed it at fifteen. The Southern Pacific and its allied lines make it twenty years, while the Pennsylvania Railroad and a number of Eastern roads make it necessary for an employee to have been thirty years in their service. On the other hand, the Philadelphia and Reading has adopted a very broad plan. On that railroad, any faithful employee, irrespective of age or of length of service, who is injured in the performance of duty, or becomes incapacitated through sickness, may be awarded such a pension as the president of the company determines.

Practically without exception those American railroads which have adopted the pension system provide the entire fund out of which pension allowances are paid. The Grand Trunk Railway requires a contribution of two-and-a-half per cent. of the monthly wages. The First National Bank of Chicago requires a contribution of three per cent. While the employee contributes to the fund, provision is always made for the return of his payments in case he severs his connection with the service.

The reasons why institutions in the United States are beginning to adopt old-age pension schemes, embrace such considerations as these:

The pension attaches the employee to the service, and thus decreases the liability to strike. It makes more certain a continuance of efficient men in the lines of work with which they are perfectly familiar. Of quite as much importance is the fact that a pension system enables employers to dispense with the elderly and inefficient, and thus gives constant encouragement to good effort on the part of younger men hoping for promotion. When employees realize that unsatisfactory conduct may at any time lose them, not only their present positions,—a loss which, in such a labor-market as ours, might be easily made good,—but that it entails further the loss of a very valuable asset, the employee's right to a pension, the incentive to good conduct is greatly increased. It operates especially as a means to retain men between the ages of forty and fifty, when they have acquired the experience and skill which make them specially valuable, and prevents their being tempted away by slightly increased wages for a temporary period.

Those business institutions which have adopted the old-age pension scheme have not done so from sentimental considerations, but rather from considerations of economy and efficiency of administration. They have found that, when provision is made for those who are too old to render efficient service, every man who recognizes that at some time he may become eligible to such benefits will be under strong inducements for good behavior. In financial institutions particularly, if men are removed from anxiety for the future, they are much more apt to devote their best efforts exclusively to their careers, and to be in less danger of diverting their energies into side channels of money-making—which may easily lead them on to dangerous ground.

No one can doubt that there is weight in these reasons. On the other hand, they certainly do not in themselves lead to the conclusion that we are ready for a compulsory system of old-age pensions which should be under the Government's supervision. With such study as I have been able to give to the subject, I could not, at the present time, go further than to say that it is eminently one for careful painstaking study. I do not believe the German system could be transplanted here in anything like its entirety. I am, however, perfectly confident that those features of the German system pertaining to sick and accident insurance are of enormous value to the national economy, and are producing results out of all proportion to their cost.

That there is to be development of the industrial pension idea is as inevitable as the laws of economic progress. Whether that development should be directed by the Government, or whether it can best find expression through the individual action of corporations, I am not prepared to offer an opinion. But it is beyond question that the matter is worthy of thorough scientific study. There is a scarcity of literature in English on the subject, and what has been printed is now mainly in the form of scattered articles and buried reports.

A commission which would give the subject a thorough investigation and would put the results of that investigation into such shape that we could grasp the significance of what has been done, would be of great value.

FRANK A. VANDERLIP.

A DEMOCRAT IN THE PHILIPPINES.

BY FRANCIS G. NEWLANDS, UNITED STATES SENATOR FROM NEVADA.

WHEN Secretary Taft invited me to accompany him on his trip to the Philippines, I hesitated. I had been opposed from the start to the acquisition of the Islands. On the day following Dewey's victory I had personally urged President McKinley to order his fleet to Cuba, insisting that the purpose of the war was not to conquer the Philippines, but to free Cuba, upon whose soil we had not yet landed a soldier. After Spain passed her scant title to us, I had urged that we should hold the Islands in trust for the Filipino people, that we should make an immediate declaration of our purpose to grant them independence and that we should take steps to quickly accomplish this purpose.

I had no illusions regarding the Filipino people. I did not believe them fitted for democratic methods of government, nor that they could quickly develop into a homogeneous people, or act with unity of purpose. I thought it probable that, if we left them to themselves, there would be civil war and continued disorder, until some foreign Power should intervene, or one race should gain the mastery over the others, or the leadership of some masterful man should result in military dictatorship.

Whilst these consequences might be deplorable, I did not deem it our duty to attempt to avert them by subjugating the numerous races of the archipelago. If the Filipino people were to be killed, it were better that they should kill each other than that we should kill them; or if they were to be conquered by a foreign Power, that some other country should undertake the destructive task. Besides, I believed that the proper evolution of the Filipino people was not to be accomplished through subjection to an alien people, but through the slow process of self-development by which nations have risen to strength and power.

I was concerned more for our own people and institutions than for the Filipino people or their institutions. I felt that a great nation, established for the first time in the history of the world upon the basic principle that just government rests upon the consent of the governed and that taxation and representation are inseparable, should not qualify ideals which had advanced democratic institutions everywhere. I felt that our institutions were endangered by an intense commercialism, which had lowered the standards of municipal, State and national life, and that our concern should be to save democracy at home rather than to promote imperialism abroad.

Such were my views regarding the Philippines; but the country had in two campaigns decided that the Philippines should be retained. Whilst my views had not changed, I felt the futility of further contention, and feared that a trip to the Philippines would simply be a waste of time.

But I also recognized the fact that the two parties, as represented by their leaders, Roosevelt and Bryan, did not stand far apart. Bryan from the start had insisted that there should be an immediate declaration of our purpose to grant independence to the Filipinos. Roosevelt, in a recent message, had declared that it was his firm belief that the United States could help the Filipinos to rise higher and higher in the scale of civilization and capacity for self-government, and that it was his earnest hope that in the end they would be able to stand, if not entirely alone, yet in some such relation to the United States as that in which Cuba now stands.

It was clear, therefore, that the best men of both parties were now intent upon solving the question in a manner consistent with the theory and the traditions of our government.

The most potent factor in this dispassionate view of the question had been Judge Taft, whose fixed determination to conduct the government of the Philippines in the interest of the Filipino people as a sacred trust, uncontrolled by selfish considerations, had aroused the moral sentiment and challenged the admiration of the country. I felt that the invitation of such a man to members of the opposite party to accompany him upon his proposed trip of inspection, affording, as it did, opportunity for non-partisan consideration of the Philippine question, was not to be lightly regarded, and I concluded to accept the invitation.

The Filipino People.—At almost every city and town we visited we were entertained by processions representing the army, the native scouts and constabulary, the various industries and the schools, as well as by banquets in which leading Filipinos participated. We also had hearings of those interested in the various agricultural and business pursuits, and those who had suggestions and complaints to make regarding existing political conditions. From my observations and inquiry, I should say that the Filipinos are an interesting people and capable of much development. The children learn English with great facility, and there seems to be a general desire among all classes for education, the night schools being crowded by those who are occupied during the day. The total population is about 7,000,000. The number of children of school age (7 to 15) is over 2,000,000, of whom only about one-sixth are enrolled. I was told that there was much eagerness to attend the schools, but that insufficiency of funds prevented the increase of the enrolment.

We listened to the Filipino leaders at banquets and public meetings. They had, as a rule, pleasing voices, of a vibrant tone that appealed to the emotions, and I have no doubt that they would be very potent in influencing the masses of their people. They carried themselves with dignity and self-control. They showed much familiarity with our struggle for independence, and spoke persuasively, earnestly and eloquently regarding the aspirations of their people for independence. But it was not apparent that they had much conception of the individual rights and the fundamental liberties which independence should secure. It is impossible that they could have. The educated class constitutes a very small percentage of the population. Most of them had been trained under the Spanish government of dishonesty and graft, in which almost every official was the oppressor, certainly not the servant, of the people, and under which the peasants, constituting about ninety per cent. of the population, were exploited by the official and influential classes, both Spanish and Filipinos. These peasants are said to be patient, submissive, easily influenced and easily led. Under the influence of their leaders, the patient agricultural peasants of to-day become the ladrones or the fanatical pulijanes or the patriotic insurrectos, or all combined, of to-morrow. They have been accustomed to the Oriental system, represented by rulers such as sultans, datos and caciques, head-

men who direct the energies of their people, and to whose will the peasant class is subject.

That the peasants also desire independence cannot be doubted. They would prefer to be led and governed by their own leaders, even though the latter have in view their industrial subjection. I am satisfied, from what I have seen and heard in the Philippines, that there can be no permanent friendliness between the Filipinos and the Americans. The Filipino people, as a rule, wish a national life, even though most of them have no real conception of what liberty means.

The Islands were not quiet. A long and expensive campaign had been waged in Cavite against the ladrones, necessitating martial law and the reconcentration of the natives, who were disposed to shelter and protect them.

Samar had been in confusion, as the result of the outbreak of the pulijanes or "red breeches," the mountain people of that Island, in an insurrectionary movement, half religious and fanatical, and half protest against the native officials, who, though elected under American administration, thought their offices justified Spanish and Oriental extortion and oppression. All these movements taxed to the full the strength of the scouts and the constabulary forces.

Present Conditions in the Philippines.—In contrast with the beautiful appearance of the Islands was the doleful story of the people. Added to the ravages of the civil war with Spain, and of our war of conquest, were the disasters caused by cholera, rinderpest, surra, the locusts and typhoons. The agricultural depression was great. The sugar plantations were without modern machinery and modern methods, and it was impossible to borrow money for their renovation. And yet, notwithstanding these untoward conditions, the apparent contradiction of an increase in wages also existed, and it was difficult to get laborers for agricultural industries. This was accounted for by the statement that the movements of the military forces and the public works had withdrawn the laborers from the farms. Indisposition to work was also complained of. The increase in wages enabled the natives to secure by one day's labor what used to require two. The result was that the laborer, having earned in one or two days enough to secure a week's supply of rice, would lie off until the pressure of hunger again drove him to work.

The Insular Commission.—The Philippine Commission is conscientiously working out the problems of good government, with a single eye to the prosperity and advancement of the Filipino people. It is not yet a government of the people or by the people, but it is preeminently a government for the people, and its purpose is to instruct the people, and particularly the peasant class, so as to give them a realization of what justice, individual rights and civil responsibility mean.

Believing that a common language and the creation of a public opinion are essential to self-government, the Commission has prepared to make the universal language English. English is taught first by American teachers and later on by Filipino teachers, who have been instructed by them. The educational expenditure, insular, provincial and municipal, is about $2,000,000, gold, annually. At least $6,000,000 is required.

This educational system, of course, involves the danger that the educated child is likely to drift from manual labor, but the Commission is wisely directing it in industrial channels by promoting agricultural and manual-training schools.

In addition to the requirements of education, money is also required for road-building, for railroads, for harbor and municipal improvements and for the development of the agricultural interests. The municipal and harbor improvements and road-building have been covered by bond issues authorized at the last session, with interest, if I am right, at five per cent.

Congress recently authorized the construction of about 1,000 miles of railroad in the various Islands by private corporations, involving a cost of about $30,000,000, and the issue by them of bonds for such construction, with interest at four per cent., the interest to be guaranteed by the Insular Government. As the amount of the bonds will doubtless build the railroads, I urged in the Senate that we should authorize the Insular Government to build the railroads and to issue bonds therefor to the extent of $30,000,000 at two per cent., with the guaranty of the United States as to both principal and interest. Whilst not prepared to urge Government ownership at home, owing to the complexity of our Government and the difficulty of insuring businesslike methods of administration, I felt that Government ownership suited the necessarily paternal nature of the Insular Government, and was merely in line with the policy now adopted as the result

of experience with both State-aided and State-owned railroads, in the British and Dutch East Indies, and that the Commission was a body of such capacity, integrity, experience and administrative qualifications that it could easily undertake the work. The saving between two per cent., the rate of bonds so guaranteed by the United States, and the income which a private corporation would expect, would pay for the roads in thirty years, and a light cost of transportation would greatly lighten the burdens of the Islands. I regret to say that the movement failed.

Agricultural Bank.—There is strong need of an agricultural bank, resembling those of Germany and Egypt, with a capital of at least $10,000,000. It is impossible to expect such a bank to be organized by private capital when the condition is such as is described by the Manila Chamber of Commerce in these words:

"The country, generally speaking, is in a state of financial collapse. The agriculturists and merchants are passing through the worst crisis ever known in the annals of Filipino history. A series of calamities have contributed to bring the country to this deplorable state."

An agricultural bank could loan the money necessary to introduce improved methods, particularly on the sugar plantations. It could also aid in the development of the 400,000 acres of land purchased from the friars, which are still on the hands of the Insular Government. Assisted by the Bureau of Agriculture, it could accomplish the development of the general agricultural interests of the Islands upon a thoroughly modern and scientific basis. All moneys advanced could be properly secured upon the improvements made. And thus an insular agricultural bank, with a capital derived from the sale of insular bonds at two per cent., guaranteed by the United States, could do a business that would earn at least six per cent.

It will be economy for the United States to move generously and efficiently now. Economic distress may result in discontent that will cause outbreaks whose suppression will cost infinitely more than the aid at present needed. It must be remembered that the tropical islands have been languishing for years. The temperate zone has beaten the tropical zone in competition in sugar and tobacco. The outbreak of Cuba against Spain was largely due to economic distress caused by the low price of sugar; I think it likely that it has also had something to do with the contemporaneous discontent in the Philippines.

The insular revenues are now only about $9,000,000 in gold, to which may be added $3,000,000 in gold as the municipal revenues for Manila, and $2,000,000 in gold as the provincial and municipal revenues outside of Manila. Fourteen million dollars in gold is the sum that is now available annually for all purposes, insular, provincial and municipal, in a government of 7,000,000 people. When we recall that the District of Columbia, with less than 300,000 people, requires about nine or ten million dollars annually for municipal and district purposes, it seems amazing that the Insular Commission should have accomplished so much with so little.

Abolition of Tariff Duties.—The main measure of relief for the Philippine Islands thus far urged is the abolition of American duties on Philippine products, to be followed, when the Spanish treaty expires three years hence, by the abolition of Philippine duties upon American products. Such a proposition involves the closed door in the Philippines at a time when we are strenuously urging the open door in China, Manchuria and Korea. This is both wrong and impolitic; wrong, because consistency is required of nations as well as individuals, and impolitic because it will give Japan and China an excuse for securing favored arrangements in the Orient which will exclude our products. If we get the monopoly of imports into the Philippines, it would not compensate for the losses which we would sustain in the rest of the Orient by the assertion of this policy. If we refuse equal opportunities for Japanese trade in the Philippines, how can we insist upon equal opportunities with Japan in Manchuria and Korea?

I am aware that this suggestion of free trade, or freer trade, appeals to many Democrats; but reflection, I think, should convince any one that the arrangement, so far as the Philippine Islands are concerned, means restricted trade, not freer trade. At present, the Philippine Islands have a tariff which conforms to the theory of a tariff for revenue only, so strenuously urged by many Democrats; for it imposes a duty of only twenty per cent. upon importations from all countries, including the United States, without preference to any. It is now proposed that this tariff should be maintained as to all other countries, but be abolished as to the United States, the very purpose being to give the United States the monopoly of imports into the Philippines,

and to exclude the products of England, France, Germany, Spain and other countries. Can this restricted trade be called free trade, or freer trade? At best, the proposed arrangement will be one of subsidy.

Sugar Subsidy.—The tendency of our policy in the tropics has been to destroy the revenue feature of the sugar tax by giving the tax as an additional price to the producers of sugar in the tropical islands. The world's price of raw sugar is about two cents per pound, or $40 per ton; the price in America is $75 per ton, because the customs duty of 1¾ cents per pound, or $35 per ton, is added. When, therefore, sugar is imported from the tropical islands duty free, it sells in our markets at the same price as the duty-paid sugar—$75 per ton; and thus the tropical planter gets on the duty-free sugar, as a subsidy, the amount of the duty which the Treasury loses. Porto Rico, Cuba and Hawaii send all their sugar to the United States, because the sugar of Porto Rico and Hawaii comes in duty free, and the Cuban sugar comes in with one-fourth of the duty, or about $9 per ton, off. On their production, the planters in these islands get in the United States markets the following amounts annually more than they can get anywhere else, and this constitutes the annual subsidy of these tropical islands:

Hawaii, 400,000 tons, duty free, $35 per ton	$14,000,000
Porto Rico, 100,000 tons, duty free, $35 per ton	3,500,000
Cuba, 1,000,000 tons, ¼ duty off, $9 per ton	9,000,000
Total subsidy	$26,500,000

The imports from Cuba are increasing, and it is claimed that during the coming season they will be 1,300,000 tons.

Under similar circumstances, there is no reason why the Filipino planters should not restore their old maximum of 400,000 tons annually, on which a similar subsidy of $35 per ton would amount to $14,000,000 per annum above what they could receive in Hong Kong or in any other sugar-market, except the United States.

If, as has been done in Cuba, under the influence of a smaller subsidy, the increase should be to 1,000,000 tons annually, the total subsidy of the Filipino planters would amount to $35,000,000 annually, and the United States Treasury would suffer loss in that amount. In time, therefore, the sugar tax would lose its

character as a revenue-producer, and would be turned into a subsidy for tropical islands.

Political Complications.—Important political difficulties are also likely to arise from complicating our revenue system with that of the Philippine Islands. The Philippine Islands are now almost entirely dependent upon customs duties for their revenue. If this plan of mutual subsidy goes through and the United States secures the monopoly of the Philippine markets, it necessarily follows that little or no revenue will come from the customs, and that the Philippine Government will be compelled to substitute land and other internal taxes. Already it has taken measures to institute the land tax, and the protest is so loud and deep as to compel the postponement of its operation.

Again, I understand our purpose is to train the Filipino people in self-government, in the hope that ultimately they will be fitted for independence. If this be really our purpose, it would be very unwise to complicate the fiscal and revenue systems of the two countries; for, when separation comes, industrial disturbance may follow the change in these fiscal and revenue relations. Our policy should be to hold the Philippines as an entity absolutely separate from the United States, the only connection between them being the Civil Government, which should gradually draw the Filipinos into participation until the time is ripe for independence. Then the United States can at any time declare its trust ended, and turn over the government of the Philippines to its ward. It is an essential doctrine of equity that the trustee should not mingle his ward's property or interests with his own, and our government in the Philippines should be so administered as to enable our ward, when she comes to the maturity of her powers, to move among the nations in a thoroughly uncomplicated and individualized life. Would it not be uncandid, whilst professing a desire to fit the Filipino people for self-government and independence, to bind the two countries together, at the same time, so strongly by navigation laws and tariff legislation and commercial ties generally as to make it impossible to cut the political ties without a serious and perhaps fatal readjustment? If American capital secures the monopoly of ocean transportation between the Islands and the United States, of inter-island navigation, and of railroad transportation, and also the control of subsidized sugar-planting, every selfish and commercial con-

sideration will stand in the way of a moral settlement of this important question.

Suggested Legislation.—I would suggest, therefore, in place of the proposed reduction in duties the following legislation:

(1) The repeal of the Act extending our coast navigation laws to the Philippine Islands. These will confessedly impose a higher burden on the transportation of her exports and imports than now. Their operation has already been postponed for a time by a recent Act.

(2) If not too late, the repeal of the Act authorizing insular aid for railroad-building by the insular guarantee of four per cent. interest on the $30,000,000 of bonds, and the substitution of insular construction and ownership of the proposed railroads accomplished by means of an insular bond issue at two per cent. guaranteed by the United States.

(3) The authorization of insular, provincial and municipal bonds sufficient to cover needed permanent improvements, the bonds bearing interest at two per cent., thus facilitating the application of a larger portion of current revenues to education, particularly of an industrial character. The enrolment of the schools should be trebled.

(4) An issue of $10,000,000 of bonds for an insular agricultural bank, the bonds to bear interest at two per cent. and to be guaranteed by the United States; such bank to aid the introduction of machinery and improved methods in agriculture by secured loans to the farmers.

All these bonds should run for thirty years, in which time the saving in interest should pay for them. The total, including railroads, would be about $60,000,000, or, without railroads, $30,000,000.

When the time comes for final determination of the relations of the Filipinos to us, a plebiscite can be taken. If separation is then desired by either, it can be accomplished. Meanwhile, the United States can largely centre its own expenditures at Subig Bay, which, cut off by the mountains from the rest of Luzon and having but few native occupants, can be made an easily defended naval, coaling and commercial station for our navy and merchant marine. When the time comes for separation, we can easily retain Subig Bay and thus make it a link in the chain of our naval and commercial administration.

If the bonds authorized by us are not by that time retired, and if the Islanders cannot bear the burden of debt contracted by our authority, we can pay it and cancel the obligation, thus adding a timely generosity to the hundreds of millions now irreclaimably lost in the military and naval expenses connected with our control of the Philippines.

This will be more businesslike, wiser and cheaper than the proposed tariff subsidy, which within forty years would probably turn over to the Filipino planters from $300,000,000 to $600,000,000 in sugar subsidies paid by the American consumers in an unjust tax diverted from the United States Treasury. The Islands will then be on a healthy and uncomplicated basis, instead of on a stimulated and complicated basis which will make the nursing-bottle of subsidy essential to their existence.

I have not the space to enter into the consideration of the strategic mistake of having possessions occupied by unwilling subjects so far removed from our base—impossible of defence should the time come in the Orient when we may be beset by foes outside the Islands and by insurrectos within, or of the great military expense entailed by holding them as an asset instead of a trust.

The fact is that, prior to the war, if Spain had offered them to us we would have refused. Dewey's victory happened to be in Manila Bay, instead of in the open sea. Shall we, therefore, permit ourselves to remain always under the tyranny of an accident?

But far above these practical considerations are the moral considerations for which Roosevelt, Bryan and Taft stand as representatives of true Democracy, which has not yet lost faith in government of the people, for the people and by the people. We cannot check the aspiration for independence in the Philippines when such advocates of political morality in both parties voice it in the United States. Separation will some day come. Let us intelligently prepare for it.

FRANCIS G. NEWLANDS.

WORLD-POLITICS.

LONDON: ST. PETERSBURG: BERLIN: WASHINGTON.

London, *November, 1905.*

The autumn flood of speech-making set in earlier than usual this year and promises to last longer. I doubt if any other nation gets quite so good an education in politics as the people of this country. Whether they profit by it as much as they should and might is another question. The fact remains that the ordinary Englishman's chances of receiving instruction from the fountain-head on the public questions of the day are at least three or four times more numerous than the German's, perhaps double the Frenchman's, and beyond comparison greater than the American's. This is mainly because of the practice that obtains among the constituencies of requiring at least one public speech from their Members every year. Almost since Burke's time it has been our practice to regard these annual meetings between representatives and voters as an essential duty of political life. It would be hard to exaggerate their value. English speakers, whatever their defects, have on the whole a strong turn for exposition. They carry from the House to the platform the habit of coming to close quarters with their subject. They excel in concrete *précis* work, and are not afraid of dry details in laying their case before the people. Moreover, the circumstances that surround these annual autumn meetings give them a special value. They are held at a time when electioneering is in abeyance. They help to concentrate attention on the work of administration and the broader aspects of policy. This is to perform a most important service, for democracies everywhere are too apt to think that they have solved the problems of government when they elect one set of candidates to office in preference to another set. Too much thought is given to the question who shall do the work and too

little to how it is being done. Against such an attitude towards politics and political questions the constant appearance of Members of Parliament on the platform is a sure preventive. It serves to put elections in their proper place, and makes the people see that success at the polls is of less consequence than efficiency in office. In other words, these meetings keep the public informed of the rights and wrongs of public questions, not spasmodically or for the purpose of a single election, but regularly and continuously. No one can carry on this work so fruitfully as the representatives of the people themselves, and in all countries where they have abandoned the duty of instructing and interesting the electorate, politics have degenerated into mere problems of mechanical organization, are controlled by caucuses, professional politicians and machines, and are manipulated in the interests of cliques and bosses. This spectacle, therefore, that we are at present being treated to in England of men like Lord Rosebery, Mr. Chamberlain, Sir Edward Grey, Mr. Lyttelton, Mr. Asquith and Mr. Morley threshing out the *pros* and *cons* of high matters of domestic and foreign policy before vast popular audiences, is one of real hopefulness and inspiration. It is one of the saving clauses of British democracy. It implies that the operative force of politics in England is to an extent under the guidance of the best, or nearly the best, intelligence of the country.

Passing from these general considerations to the speeches themselves and to their bearing on the situation and problems of to-day and of the immediate future, I am bound to say that they leave the two principal questions that perplex the electorate still unsolved. One of those questions is this: Will Lord Rosebery be a member of the next Liberal Ministry? That Lord Rosebery is a great influence in English politics and exercises over the popular mind a fascination that no blunders seem wholly able to destroy, is, I believe, the fact; though there are those who will tell you that the people have tired of him, have written him down as a mere talker or *flâneur*. That is not at all my personal opinion. But those who dismiss Lord Rosebery with a shrug of the shoulders and those who believe that he has still a great part to play in English affairs are alike unable to say with anything approaching precision whether he intends to join, or hold aloof from, the next Government. It is an extraordinary paradox that, in these ebullient days of Liberal revivalism, with an overwhelm-

ing Liberal victory at the polls drawing visibly nearer and nearer, the course of the most distinguished and most brilliant Liberal of them all should remain an utter mystery. It is a national puzzle; I am not sure that it is not also a private and personal puzzle as well. That is to say, I am not sure that Lord Rosebery himself knows his own mind in the matter, or has come to any definite decision. He is not a man whose course it is easy to prognosticate; he belongs, I should judge, to the Laodicean order of temperament. Nevertheless, the interest in his personality is so great, and the charm of his many brilliant gifts is so widely felt, that every speech he delivers is narrowly and anxiously scanned by many thousands of his countrymen for a hint of his future intentions. The result, or one result, is that from time to time a casual phrase of his is made to carry more than it will bear. Thus on October 21st he referred to his "dear old friend, Sir Henry Campbell-Bannerman." Gleeful commentators at once assumed that all political differences between Lord Rosebery and "C-B" were at an end, and that the two men, representing respectively the Imperialist and the "pro-Boer" wings of the Liberal party, would henceforth act together. I am not sure that the assumption is well founded. Both in his speech of October 21st and in another address delivered four or five days later, Lord Rosebery took pains to dissociate himself from all official responsibility. His tone towards Liberals is still curiously impersonal and external. He speaks to them as "You," not as "We." His whole mental attitude is that of the looker-on. One is still obliged to say of him that he is neither in politics nor out of them.

The question of his possible action in the event of a Liberal victory at the next election derives a new importance from the sudden and serious illness which has overtaken Lord Spencer and which, I fear, is of a nature to incapacitate him for further political activity. That is a considerable blow to English Liberalism. The gossip of the clubs and lobbies has for long pointed to Lord Spencer as the one man under whose leadership it might be possible for Lord Rosebery and Sir Henry Campbell-Bannerman to serve in harmony and without, on either side, any loss of personal dignity. His enforced retirement—for that unhappily is what his illness seems but too likely to amount to—removes, I will not say the last, but certainly the most obvious and available,

basis of accommodation between the ex-Premier and the present Leader of the Liberal party. It leaves Lord Rosebery more than ever the mystery-man of English politics. Will he be Prime Minister? Will he be Foreign Secretary? Will he even so much as consent to lead the Liberals in the House of Lords? Or will he continue, as for so many years past, to play the candid friend to his old party, dealing faithfully with its shortcomings, mocking at some of its enthusiasms and applauding others, neither depreciating nor extolling it in comparison with the Conservatives, aloof from its councils yet intimately critical of its policies, occupying, in short, that position of intermediary between the parties which he has often owned to be of all positions the one he most enjoys? To these questions there is still no answer, but I think I may say that nobody expects that he will be Prime Minister, while everybody, without distinction of party, hopes that he may be induced to serve as Foreign Secretary.

Nor is that the only matter which is likely to give the Liberals some trouble. The speeches of the last few weeks have shown that the Liberal party, always a party of differences, may prove again a party of disunion. The situation is almost unique. The country, utterly disgusted with the present Government, does not appear to be positively drawn towards the Liberals. The Liberals will come into power less because they are Liberals than because they are not Conservatives; and there is some danger that they may be tempted to use their victory not merely for partisan but for sectional ends. The Welsh wing, a very brilliant and pertinacious wing, is vowing that its support can only be had on the understanding that the Liberals proceed at once to disestablish the Church in Wales, and, possibly, to initiate a scheme of Land Reform in Wales based on previous Irish Land Legislation. The Non-conformists, who are, as they have ever been, the backbone of English Liberalism, give the amendment of the Education Act of 1902 the first place among the duties of a Liberal Government. The Irish Nationalists, being Catholics, will not only oppose that amendment, but will fight furiously and unavailingly to pin the next Government down to the promise of a third Home Rule Bill. After the General Election, it is expected that there will be not less than thirty Labor members in the House, every one of whom will be prepared to lead the Government a lively dance unless it immediately does something for the unemployed,

and passes an Act to relieve Trade-Unions from liability for damages during strikes. Besides this, the Liberal Government will be importuned to amend the Licensing Act, to stop the importation of Chinese labor into the Transvaal, to improve the efficiency of the House of Commons, to overcome the obstruction that the House of Lords systematically offers to all Liberal measures, to deal with what is compendiously known as "the land question," to reform the Army and at the same time to check the intolerable growth of national expenditure. These are all stupendous questions. To deal with them at all effectively there will be needed a large, loyal and accordant majority, and far more practicality and resolution than Liberalism has displayed for twenty years. The pitfalls involved in them are many, and the stubbornness of some of the Liberal leaders does not inspire any great confidence that they will be successfully evaded.

There is, however, one point which the recent addresses of the Liberal leaders have finally cleared up. After the speeches of Sir Edward Grey, Mr. Morley, Mr. Bryce and Lord Rosebery, it is now certain that the next Liberal Government will pursue a foreign policy in the main identical with Lord Lansdowne's. Let me quote on this subject Sir Edward Grey. Failing Lord Rosebery, he is the predestined Foreign Secretary in the next Government. On October 13th, Sir Edward Grey declared that Liberals as a party accepted the Anglo-Japanese Alliance and the Anglo-French understanding both in the letter and in the spirit:

"They would enter into no engagements and no relations with any other Powers which were inconsistent with or prejudicial to those agreements; but, if it were fairly understood and accepted in the world that the Alliance with Japan and the Agreement with France implied no hostility, as they [the Liberals] intended that they should imply no hostility, to any other Power, then there was no reason why Great Britain should not be on cordial and friendly terms with every Power which accepted those two agreements as integral parts of our policy."

A week later Sir Edward Grey touched in admirable terms on the subject of Anglo-German relations. He said:

"I am sure of this, that if there is a desire for the improvement of our relations with Germany—I do not mean an improvement in the relations of the British and German Governments, because, so far as I know, those are quite correct, but an improvement between the press and the public opinion of the two countries—if there be a desire for that in Germany, it will meet with no obstacle in this country, *provided it*

be clearly understood that nothing we do in our relations with Germany is in any way to impair our existing good relations with France. In other words, it must be, in my opinion, a condition of any improvement in the public relations between Germany and ourselves that the relations of Germany with France, on all matters that come under the Anglo-French Agreement, should be fair and good also."

Lord Rosebery and Mr. Bryce have practically repeated and adopted the policy outlined in this passage. It is a policy to which the country, sated with the violence of Anglo-German polemics, entirely subscribes, and it accurately forecasts the lines on which foreign affairs will be conducted under a Liberal Government. The Liberals, that is, have pledged themselves to maintain and develop the close and friendly relations that obtain between England and the United States, France and Japan; but they do not admit that these relations exclude a rational understanding either with Germany or with Russia.

To have made this clear, not only to England but to Europe and the world, is an achievement for which we may thank this autumn flood of oratory. I wish it had been equally successful in resolving the mystery of Mr. Balfour's policy and position in what is still the outstanding issue of domestic politics—the fiscal question. But, unhappily, no Unionist seems able to open his mouth without intensifying the confusion. Lord Hugh Cecil, a stanch Tory and an equally stanch Free-Trader, recently declared his confidence that Mr. Balfour is more on his side of the fiscal controversy than on Mr. Chamberlain's. He in effect advised Unionist Free-Traders to trust to Mr. Balfour. On the other hand, Mr. Arthur Elliot, who is also a Unionist Free-Trader and who sacrificed office to his convictions, said a few days ago that the Unionist Free-Traders should be on their guard and ready at any moment to organize themselves against the Prime Minister. Early in November Lord Londonderry, who is a member of the present Cabinet, described Mr. Chamberlain as a "clever platform leader" who had temporarily misled the Unionist party by "the glamour of a policy" which had not withstood the test of criticism or the teaching of facts as revealed to us during the last two years. He therefore begged his friends "to rally round the banner of Mr. Balfour." Two days later Mr. Austen Chamberlain, the Chancellor of the Exchequer, replied to Lord Londonderry. He had noticed, he said, "an inclination in certain quarters to put Fiscal Reform in a second-

ary place. This was not the view of the Government or of the Prime Minister." He then proceeded to make a Protectionist speech of the familiar kind. Twenty-four hours afterwards Mr. Chamberlain *père,* addressing his Birmingham constituents, assumed that between Mr. Balfour and himself there was complete agreement on the main issue and that they only differed on minor points of tactics. So there we are. Nobody is really any wiser to-day than two years ago. But it is clear that the Unionists are growing more and more impatient with the evasions and subterfuges into which their party has been forced, and that the disgust of the country with the whole performance and its desire to ring down the curtain on what it feels to be a discreditable farce, increase almost with every day that passes.

ST. PETERSBURG, *November, 1905.*

THE Russian revolution which began very modestly last fall has quite suddenly culminated in an epoch-making climax. It is only a year ago this November since about a hundred and twenty-five men from the rural districts came together semi-secretly here, and passed moderate resolutions asking the Tsar to allow his people a little more elbow-room. And already in October this year the Russian people has shaken off its fetters and stands forth free. Probably no change of such far-reaching significance has ever been effected so rapidly. Last April, a number of congressmen gathered together in Moscow like conspirators, conscious that they were liable at any moment to be severely punished; to-day, revolutionists block the public thoroughfares, deliver philippics against the Tsar, compel all who pass to salute the revolutionary symbols and threaten a constitutional Government with downfall because it is not a democratic republic.

Countless are the causes of this astonishing metamorphosis. They may be summed up in the cardinal fact that for generations the political fabric known as Autocracy was thoroughly rotten, and held together only because it was hedged round with barriers and never roughly shaken. Then, when a violent shock was administered—in the form of the Japanese war abroad and universal disaffection at home—the whole fabric came down with a crash.

The last act in the drama of the Autocracy began with the

strike, which at first differed nowise from the many strikes that had gone before and had never been definitely ended. The Moscow printers threw up their work on October 13th, for reasons which were partly economic and partly political. This step surprised no one, because, since January 22nd, nearly every trade and profession had been doing the same at irregular intervals. But the printers seemed exceptionally favored, for they received an assurance that they would be supported by the railway league, composed of the officials and servants of well-nigh all the railways in the Empire, and organized so thoroughly that a single word from the central committee could bring locomotion to a standstill everywhere. But shortly before the arrangements were completed, the printers were forced to surrender. Their employers had sent the work left undone to other cities and towns, where it was executed cheaply and with scarcely any loss of time. The men, therefore, went back to their printing presses on their masters' terms. To the railway league this was a serious blow. For they had long been organizing and were just ready for the struggle. Not to be defrauded of victory, which they thought they discerned in the near future, they despatched delegates to St. Petersburg to press a list of economico-political demands upon the Government, with instructions to order a general railway strike unless the authorities gave way.

On Sunday, October 15th, the delegates were already in St. Petersburg, but had not yet begun their deliberations, when in Moscow it was reported that some of them had been arrested and the others forbidden to assemble. That false rumor was the spark which set fire to the dry tinder, and kindled the flame that burned fiercely over all Russia and destroyed the bulwarks of Autocracy. The Moscow railway men ordered all officials on the various lines to go out on strike. The Government and in particular Prince Khilkoff, the Minister of Ways and Communications, were taken by surprise. The moment the men began to refuse to make up trains and take charge of engines, Prince Khilkoff, instead of consulting the delegates who had come to the capital for the very purpose of conferring with the Government, rushed off to Moscow to ascertain the cause of the strike. And once there he became inaccessible to the men—who had to communicate with him through intermediaries—until the following day when he spoke to them freely, but foolishly and vainly.

A magic word or an energetic act might then have changed the course of events. But the Prince had neither. "We have to toil and moil for sixteen hours daily," the railway men complained. "I, too," retorted his Excellency, "and I work more than sixteen. Why, I rise every morning at seven, and then I . . . ." "Well, but that leaves us no time for reading or any attempt at self-culture," they urged. "Not so, gentlemen; a working day of sixteen hours leaves you eight hours free, one of which you can devote to reading, and that gives you 365 hours a year. In Turkey I know many excellent people who have never read a line." At last, the Prince, thinking he had found a magic word and an efficacious act, cried: "I was a workman myself, gentlemen, and I feel as if I were still one of yourselves. Let the drivers follow me, and we shall together run the engine." And so speaking, the Minister sprang upon the step, climbed upon the locomotive, but none followed him. "We shall allow you to go if you will," they exclaimed, "but none of us will take you." A year ago, all Russia would have applauded the democratic Prince, and almost every workman who heard him would have responded to his exhortation. But the times were changed.

What happened after the railway men ceased working is a matter of public knowledge. Moscow, where the strike began, was isolated first from St. Petersburg, then from Kursk, afterwards from Nijni Novgorod, and finally from all the rest of the Empire. Then as the trains stopped on more and more lines and as wires were cut, all Russia became an archipelago of political islands among which there was no intercourse. Mails became rarer and finally ceased, and in most places post-offices closed; newspapers no longer appeared; business became stagnant; government securities fell; passengers were caught by the strike by tens of thousands in various parts of the country, and could not move forward or backward. They would have died of hunger if the railways had not supplied them with food.

The famine-stricken districts were deprived of the corn which had been bought and was actually on its way to them. Doctors could not get to their patients; chemists' shops being closed, no medicines could be compounded for the dying. In Moscow, there was no milk even for children, many of whom lost their lives in consequence. The wounded on their way from the Far East were shunted off to branch lines and left in the wagons that were con-

veying them. Meat for St. Petersburg had to be ordered from England; and, lest the hungry masses should make a raid on the corn stores if prices rose, the members of the corn exchange met and bound themselves to continue to sell wheat, rye, barley and oats at prices as they had stood.

In most places, the people were extremely peaceful and self-restrained, but in a few they displayed a disposition to be aggressive. Railway signals were destroyed, engines broken and rails torn up. In Kharkoff, students and workmen threw up barricades on the hill, making a citadel which took in the cathedral, the University and the building in which all the Government offices are situated. Beleaguered by a number of loyalists, they were joined by a revolutionary crowd which, having gutted several gunsmiths' shops, came provided with arms. After a regular siege lasting nearly two days, the beleaguered were allowed to march out without let or hindrance on condition that they should deliver up their weapons.

A tocsin seemed to have sounded over all Russia, whose population, starting up at the alarm, vowed that there would be no peace more in the country so long as Nikolai Alexandrovitch continued to call himself the Autocrat of 140,000,000 people. Processions, meetings, speeches, resolutions were everywhere the occupation of the population. Everything else was thrown aside as unseasonable; the very actors resolved to show their solidarity with the rest of the population by closing the theatres. "Russia may perish now, but if she survive it will be only as a free people," men said. The very officials of the Government went over to their enemies, the bureaucrats joined the ranks of the men who had sworn to abolish all bureaucracy. At first, the *personnel* of the Ministry of Ways and Communications locked the drawers of their green baize-covered tables and went home. The Minister of the Marine ordered his subordinates not to attend at their offices until the excitement should subside. The chemists who refused to strike had their windows broken and then obeyed. The State Bank officials struck last; then the Finnish railway strike was announced; and, finally, rumors were spread that the insurrection which had hitherto been bloodless would degenerate into bomb-throwing, revolver-firing, arson and ruin.

Reports of an appalling nature kept pouring in from the provinces, and as there were no newspapers they received easy

credence. There was another revolt of the Black Sea fleet going on, rumor said; Odessa was being bombarded. Admirals Birileff and Chooknine had been blown up by a bomb. In Moscow, people whispered, "there was a provisional government established." In Kharkoff the nucleus of a national militia had been formed. In a word, the Russian people were beginning to feel their titanic strength and were eager to use that strength titanically.

The Government would have been alarmed, had there been any Government in Autocratic Russia. But there was none. Of the Minister of the Interior, Bulyghin, nobody had heard anything ever since General Trepoff became Assistant Minister. Minister Khilkoff had publicly declared that he was no politician and cared only for engines, wagons and rails. The Minister of Justice lay low, the Minister of Education had, to use Count Witté's expression, struck work like the students, and the Minister of Finances was busy negotiating the big foreign loan with the French, German, American and British financiers. Meanwhile, Russia was drifting. But patriots there were in the country and also far-sighted politicians, and they were greatly alarmed, for the signs and tokens of an impending national disaster were multiplied and each morning might usher in the last day of grace. The Emperor's advisers were all unanimous on that point. There was no time to lose, they repeated, but when asked to what use the time should be put they differed. Some were for grapeshot, the gallows and the prison. Others asked for a representative government based on universal suffrage, and an eight hours working-day. And neither party was tired of repeating: "To-morrow may be too late!"

Meanwhile, the Autocrat, residing in Peterhof on the shores of the Finnish Gulf, was watching the progress of events, as they reflected themselves in the brains, now of reactionary, now of liberal, counsellors. To-day, the leaders of a Court party would assure the isolated monarch that Russia was loyal and devoted, that only a very small section of the population was in revolt and that a few quick-firing guns would swiftly bring them to their senses. To-morrow, Count Witté would implore the Emperor to take pity on his fatherland, and quench the fire before it had become a conflagration. Meanwhile, General Trepoff issued a proclamation calling upon all patriotic citizens to keep aloof

from public gatherings, and warning them that if any disorders occurred they would be suppressed without ruth. Still, the troops who occupied theatres, railway stations, banks, nearly all public buildings and many private courtyards, were as self-restrained as the people. Even where provocation was given, they kept their temper unruffled.

But General Trepoff was apprehensive lest they should be unable any longer to bear the strain. For he was really unwilling to shed blood and equally averse from allowing the revolutionists to rule the city, and between these two repellent alternatives he moved backwards and forwards like a pendulum. But, whatever else he may have succeeded in doing, he made it clear that the Government was feeble to the extent of impotence. On Friday, for instance, he issued an order clear and emphatic, and stated that he would enforce it with rifles and bayonets if necessary. People believing or doubting the seriousness of the threat deliberately disobeyed the order and went scot free. That was a blunder of the authorities. As the University was the only institution whose members were free to meet, discuss and debate political questions, as well as scientific, the general public was daily pouring into its hospitable precincts to compass the downfall of Autocracy. No policeman or soldier could pass through its portals; and, once inside, the working-men, the Social Democrat, the revolutionist might speak with absolute freedom. As all this was illegal, Trepoff forbade it, refusing to allow any but students to enter. But on Saturday night a long stream of humanity came pouring into the University, expecting to be shot down by the troops who were in readiness hard by. But the threat was not fulfilled and the powerlessness of the authorities became evident to all. For a Government which could be thus treated with contempt there was no hope.

Yet the Court party was buoyant and hopeful. The most prominent members of this political group, Count Ignatieff—the brother of the diplomatist—and MM. Stishinsky Stürmer and Goremykin, were in frequent contact with the Tsar. Their advice was to use a rod of iron and dispense with the speaker's mace. A parliament, they affirmed, would be the beginning of the end of all things. For the sake of his country, his dynasty, his people and his traditions, Nicholas II was bound to answer all popular demands with an emphatic "*Non possumus.*"

The one man who saw clearly and spoke frankly was Witté. He called everything by its right name, and pointed out the direct and indirect consequences of every piece of advice he offered. Courtly phraseology may perhaps have received less consideration from him than seemed meet, but political sagacity underlay all his counsels. When he found that Draconian measures or traditional doctrines had the upper hand, as was generally the case, he recommended that they be carried out by the men who advised them. But one and all they refused.

A national catastrophe seemed nearing, and there were no means of warding it off. Nobody had received an imperative command to reestablish order on the basis of parliamentary government, and apparently no one was about to receive it. The odium of coercion was also too terrible a curse to be lightly incurred by any one. Meanwhile, at any moment the death knell of the Autocracy might sound. On Friday, October 23rd, private councils were held by State dignitaries, and speeches were delivered by Ignatieff and Stishinsky which made Russians shudder when the characteristic passages were quoted. On Saturday, the imperial yacht, "Polar Star," trim and taut, was dancing on the waves of the Finnish Gulf ready to welcome the Tsar. The crew was select, the commander trusty and an escort of war-ships able to start at short notice. His Majesty was informed by one of his favorite court friends of the plan of escape which might any day have to be put into execution. The Tsar listened, waved his hand, and said: "No, I will never go abroad."

Time was pressing. The very trains to Peterhof had ceased to run. The international loan was not concluded, and the representatives of the foreign banks were told they had better return for a time to their respective countries. The working-men strongly advised their English employers to send away their women folk. The Minister of Finances requested the members of the Stock Exchange to abstain from all transactions in order to save the funds from falling, and his request was acceded to. The banks were crowded with people anxious to sell out all Russian securities and send the money abroad, but as the stock-market had closed these orders could not be fulfilled.

The tension was terrible and the deadlock insoluble. "To be, or not to be," was the Sphinx's question which the Tsar was called upon to answer. But the reply was not uttered. Once,

indeed, an order had come to reestablish order in the country, but . . . order was not reestablished. Witté wished the end and therefore wished the means, and the only means that he knew of was to do away with the Autocracy once for all by limiting the imperial prerogatives, and to bestow representative government upon the nation. Would Tsar Nicholas II do, or not do, this? Third course there was none. But there was still no reply. The perspective grew darker and darker. People in St. Petersburg were preparing for a state of siege, laying in supplies of provisions, fuel, candles, oil. Electric light had long since been stopped. The principal thoroughfare was illumined by means of a reflector placed in the tower of the Admiralty. Massacres of the well-to-do were talked of. Aristocratic families cast around for a refuge for their children. Russian citizens were inquiring whether foreign States would send gunboats to protect their subjects. Three steam-yachts were constantly plying night as well as day between the capital and Peterhof, conveying Witté, Goremykin, Ignatieff, Stishinsky and others to and from the imperial residence.

At last the fateful day dawned. The morning was raw, windy, wet. Witté left the capital after lunch and reached Peterhof at four o'clock, well knowing that the die had already been cast. The Emperor had determined to bow to the inevitable. And history, based on the evidence of eye-witnesses, will say that he did so with grace and dignity. The last scene of the signing away of half the powers the Emperor had inherited from his father and hoped to bequeath to his son was pathetic. But the principal actor in it was every inch a Tsar. He wrote his name simply, without pose, comporting himself with a degree of manliness and dignity that drew even from men who cherished no love for him or his a passing word of admiration. He then laid down the pen, serenely nodded to those present and left the room a constitutional monarch. Thus the curtain was rung down on the Russian Tsardom.

BERLIN, *November, 1905.*

"YOU have seen, gentlemen, how matters stand with us. Therefore powder dry, sword keen, eyes on the goal, muscles taut —and away with pessimism." The Kaiser when he uttered these words a few days ago intended to impress not only the officers

of the Great General Staff, whom he was addressing, but the entire German nation with a sense of a national peril barely escaped and likely at any moment to recur. His speech coincided in point of time with the circulation of fresh instructions for the guidance of the semi-official and "inspired" press in the treatment of questions of foreign policy. These instructions were:

"Eschew abuse, avoid personalities, especially in regard to the British monarch and the Marquis of Lansdowne, but admonish the nation in dignified and solemn language, which must be free from the least suspicion of nervousness, that the times are grave and that it must arm itself, both morally and materially, in view of the possibility of coming conflicts."

Scarcely a day now passes without its quota of leading articles emphasizing the necessity for Germany to beware of her "bitterest enemy," Great Britain, who, like a Roman wrestler of old, is "manœuvring to encompass her rival in a network of diplomacy," prior to dealing the fatal stroke. In these articles the secret springs of German policy are frankly unveiled. It is asserted that German Ambassadors have bombarded Berlin for years with reports of the growing isolation of their country. Great Britain and France were said to be cooperating to bring about the humiliation of Germany. They were preparing the ground for a gigantic anti-German coalition, which was to include Russia, Italy, the United States, Japan and Austria-Hungary. The dual monarchy was to be alienated by inspiring it with the conviction that Germany was planning the seizure at an opportune moment of its German provinces. Italy was to be "debauched" by the prospect of acquiring Tripoli and by the fear of a German occupation of Trieste. Russia and Japan were to be gained over at the Peace Conference, which Lord Lansdowne and M. Delcassé were concerting to bring about through an Anglo-French offer of mediation; and at the Peace Conference questions affecting the status in China of other countries were to be raised with the object of rendering impossible the development of German enterprise in Shantung.

These imaginary "intrigues" supply the best explanation of the unrolling of the Moroccan problem. Morocco formed the keystone of the diplomatic bridge that was designed, Berlin was convinced, to lead to the humiliation of Germany. The Emperor was persuaded to test the structure of that bridge. He visited

Tangier. But his action did not, as Prince von Bülow and his chief adviser, Baron von Holstein, seemed to expect, excite the French Foreign Minister into "provoking" Germany into a declaration of war. Nor did it intimidate him into abandoning his Moroccan policy or his firm reliance on the good faith of Great Britain. Accordingly, the German Government began a campaign of threats and achieved excellent results; for the French nation, aghast at the abyss into which it feared its Minister was leading it, summarily dismissed Delcassé from power. That was the moment of Germany's triumph. But, unfortunately for the final success of her policy, she was not satisfied with the fall of her "inveterate antagonist." Without giving the French time to recover their self-possession, she demanded guarantees that the policy of Delcassé would not be continued. She invited the French Government to enter into a discussion of all outstanding questions of foreign policy, and intimated that, if the invitation were accepted, no further fears regarding the eventual realization of French ambitions in Morocco need be cherished. The invitation amounted in effect to a proposal to France to abandon her *entente* with Great Britain. It was by no means the first occasion on which suggestions of this character had been conveyed from Berlin to Paris. In 1898, France was asked to arrange with Germany for common action against Great Britain in Africa; and in 1902, Germany, at the very moment when she was supposed to be cooperating with Great Britain in the Yang-tse Valley, endeavored to excite French suspicions and secure French assistance against British policy in China. M. Rouvier was a decided opponent of the diplomatic methods of M. Delcassé, and with skilful handling he might have encouraged the inauguration of an era of friendly intercourse between France and Germany. But the German Government had become possessed of the theory that, as the French had cordially shaken the hand which had beaten them at Fashoda, they must be capable of embracing the author of their humiliation in Morocco. The psychology of the Germans, however, omitted to take account of the soothing effect of time. It expected the French to seal a compact of love on the day following the castigation of Delcassé. When they refused to do so, German statesmanship, like an impetuous but unscrupulous lover, grew violent. It denounced the other lover of France, Great Britain, and behaved itself in so

irascible a manner as to arouse sinister apprehensions in the breast of the Republic. It was at this moment that French diplomacy communicated to London its fears of an assault, and that Lord Lansdowne informed the German Ambassador that, if Germany were to attack France, Great Britain would most certainly defend that country. For the rest, Lord Lansdowne denied the assertion made by Germany that he had concluded an offensive and defensive alliance with France. That declaration stayed the impetuosity of Germany's subsequent movements. But it did not bring about a radical change in the situation. The Emperor and Prince von Bülow, indeed, had decided on the morrow of Delcassé's downfall to make substantial concessions to the interests of France in Morocco. They failed, however, to realize the wisdom of giving immediate effect to their decision. They left the control of their policy in the hands of Baron von Holstein, who had from the outset advocated war.

In common with many of the military advisers of the Emperor, Baron von Holstein urged that France must be crushed while Russia was weak. "If we do not seize the present opportunity," he is reported to have argued, "we shall, in five years' time, be again confronted by a Franco-Russian coalition. Let us, therefore, strike and rid ourselves forever of the incubus of the French desire for revenge." It was in the spirit of this argument that Baron von Holstein conducted the further progress of the negotiations: he composed despatches of exquisite subtlety, and succeeded in keeping the French Government in almost painful uncertainty as to Germany's ultimate designs. Meanwhile, the press of the Empire was proclaiming its advice that France would do well to abandon friends who merely desired to embroil her with Germany, and to enter into a general understanding with her eastern neighbor, who stood for the common interests of the Continent against those of Albion. The French nation grew more and more uncomfortable; but M. Rouvier stood his ground. At length, when the mischief was done, Prince von Bülow interfered and modified, as he had from the first intended to do, the militant attitude of his subordinate. He conceded the claim of the French to police the border territories of Algeria by agreement with the Sultan alone, and without interference from the signatories of the Madrid Convention; he made no further mention of the suggestion that Germany should be granted an equiva-

lent sphere of influence in the west of the Sultanate; and finally he admitted the right of the French to participate in the loan which Count Tattenbach had negotiated with the Moroccan monarch. Baron von Holstein was furious. He quarrelled violently with his chief, arguing that it was an act of cowardice on the part of German diplomacy to give way, and finally left the Foreign Office on a prolonged vacation. The International Conference will, however, be held in due course; and, though many knotty questions are sure to mark its progress, there is no disposition to anticipate any but a peaceful conclusion of its labors.

Why, then, the ominous words addressed by the Emperor to the officers of the Great General Staff? Most curious is the contrast they present to the promise of the Emperor to the nation fifteen years ago, that he would, if the people trusted him, "lead them on to a glorious future." If now the watchword is "Away with pessimism," it is because the Emperor is conscious of having failed in his foreign policy. It was his desire to be friends with Great Britain; but his impetuous temperament has led to something very like a breach of personal relations with King Edward, while the subterfuges of his agents have convinced British statesmen that it is wiser to cultivate intimacy with any Power rather than with Germany. The Emperor was also ambitious of propitiating France; and he has seen himself compelled to revive the dying flames of French animosity against his Empire. He is now more than ever anxious to impress the nation with a profound sense of dangers threatening it, and in this way to create the mood for further increases in the fleet.

The Emperor will never obtain a Reichstag more willing to grant him what he needs than the present one. The constant chorus of the press, the so-called "revelations" of the Paris "*Matin*," and the sinister utterances of the chief officials of the Empire have all contributed to convince the representatives of the nation that a conspiracy really is brewing against Germany. German diplomacy accuses the British of having endeavored to egg France on to war. But, if British statesmen were hoping to bring about a Franco-German conflict, they would have kept Germany ignorant of their determination to take the sea against her in the event of hostilities. By informing Berlin officially of their standpoint, they proved their desire for peace; and it is a reasonable assumption to make that the communication

to that effect which Lord Lansdowne addressed, in the middle of June, to Count Wolf-Metternich saved Germany from carrying her policy of intimidation to a point from which retreat would have been impossible. That is a construction of the British attitude, however, to which the German Cabinet naturally does not care to lend emphasis; and, as it is not likely to occur to any member of the Reichstag, we may anticipate the continuation of the anti-British campaign for a bigger German fleet.

Already some of the more fervent supporters of the Government are raising the cry that the questions of financial reform and naval development must be regarded as crucial tests of the efficiency of the Reichstag. If the Reichstag hesitates or refuses to follow the Government in this matter then, say these hotspurs, it will prove that it is incapable, so long as the system of universal manhood suffrage endures, of fulfilling its duties to the Empire.

The modification of the principle of manhood suffrage has long been a favorite cry of the Conservatives. Under that suffrage, which is part of the Imperial constitution, two parties have climbed to positions of eminence in the Reichstag—the Social Democrats and the Catholic Centre. Both are denounced by their opponents as "enemies of the Fatherland." But, while the Centre has learned the wisdom of cooperation with the Government, and, on the principle of *do ut des,* has acquired a decisive voice in the parliamentary arena, the Social Democrats have rigidly adhered to their character as a party of opposition, pure and undefiled. The Government, deprived thus of all support from the left side of the house—for the Liberals are moribund —is at the mercy of the Conservatives. It would commit an irretrievable blunder, however, if it were to conform to the wishes of the Conservatives by endeavoring to obstruct the further growth of Social Democracy through the instrumentality of a change in the electoral laws. That would be deliberately to provoke revolution. Such a measure would be followed of a certainty, as the resolutions adopted at Jena a month ago clearly show, by a general strike of the working classes, bringing in its train incalculable disaster. Those resolutions, or rather the debates to which they gave rise, were pregnant with matter for reflection on the part of German statesmen. They disclosed the inherent antagonism between the Social Democrat as a politician and as a Trade-Unionist. It is for the Government now to pro-

mote that antagonism by acting, as far as is practicable, the part of protector of the legitimate rights of the Trade-Unions.

How gravely menaced those rights are by the refusal of the vast syndicates and trusts of Germany to deal with any of the organizations of labor was illustrated in a former communication to this REVIEW on the general strike in the Westphalian Collieries. The Government, on that occasion, was obliged to intervene. That quarrel proved—and subsequent conflicts have confirmed the experience—that the Trade-Unions cannot hope to prevail or even to hold their own, unaided, against the capitalist corporations. The Government, itself, fears the power of those combinations, and is endeavoring by peaceful negotiation to secure for itself a share in their control. As yet its efforts have not met with much success; but the educated classes of the Empire appreciate to the full the apprehensions of the Government. They gave a striking manifestation of their sympathy at the important Congress of Social Reformers, which was held last month at Mannheim. That Congress numbered among its members the most eminent Professors of political economy in the Empire—men like Gustav Schmoller and Brentano; and, though differing on questions of detail, it was practically unanimous on the imperative necessity of providing some form of state control over the operations of the vast trusted monopolies. In that direction affairs are tending. It is probable, indeed, that positive proposals designed to remedy the evils described at the Mannheim Congress will come before the present Reichstag. The Government stands to gain the confidence of the Trade-Unionists, if, as it probably will, it decides to embody those proposals in the legislation of the Empire. But if, on the other hand, it dallies with the suggestions for a reform of the law of manhood suffrage or refrains from resolutely dissociating itself from the authors of those suggestions, it will convince the Trade-Unionists that for them no hope exists save in the political organization of Revolutionary Social Democracy.

WASHINGTON, *November, 1905.*

WHEN this number of the REVIEW falls under the reader's eye, the assembling of the Fifty-ninth Congress for its first regular session will be close at hand. Under the circumstances, the atten-

tion of political observers in the Federal capital is naturally directed to the forthcoming Presidential message, and to the deference that will be paid to its principal recommendations by the Senate and the new House of Representatives. The Senate will comprise 87 members, instead of the 90 to which it is entitled, owing to the vacancy which still exists in Delaware, and to the unavoidable absence of Senator Mitchell of Oregon and Senator Burton of Kansas. Of the occupied seats, 55 will be held by Republicans, and 32 by Democrats. Of the 386 members who are to compose the new House of Representatives, 250 will be Republicans and 136 Democrats. In the Fifty-eighth Congress, the discrepancy was much smaller, the Republicans numbering 210, the Democrats 174 and the Union-Labor men 2. We may take it for granted that Joseph G. Cannon, of Illinois, will be reelected Speaker, and that John Sharp Williams, of Mississippi, will again be the leader of the minority. Some of the topics that will be discussed in the President's message are already known.

Mr. Roosevelt will, of course, refer to the happy outcome of the peace negotiations at Portsmouth, much of the credit for which is everywhere, and justly, conceded to his mediative efforts. Just what course he will advise Congress to pursue with reference to Venezuela's confiscation of the property of an American asphalt company is much more uncertain than it was before that company's implication in a revolutionary attempt to overthrow the Castro Government was established by indubitable testimony, ultimately confirmed by its own confession. It was always questionable whether our State Department would deem it consistent, seemly and expedient to treat a weak State as it would not dare to treat a strong one, by declaring unworthy of respect the sentence of the highest Venezuelan tribunal, by which the American corporation mentioned was adjudged to have incurred the pains and penalties of treason. There can hardly be any doubt about the matter, now that the charge on which the judgment was based has been proved well founded. As the basis for an appeal, indeed, to the executive clemency of the Castro Administration, Mr. Roosevelt may take the ground that the punishment inflicted by the Caracas tribunal on the American corporation too severe for the offence, inasmuch as the company's property was situated in a district long controlled by the revolutionists,

and its payment, therefore, of a contribution to the latter should justly be regarded as made under duress. We are warranted, however, in assuming that we shall hear no more about the use of force to extort from President Castro a sweeping repudiation of the conclusions reached by the Venezuelan courts.

Among the measures which the President will undoubtedly urge upon the Senate will be the ratification of the treaty by which we recognized Cuba's jurisdiction over the Isle of Pines; and also of the treaty by which the United States have undertaken the collection and apportionment of Santo Domingo's customs revenue. The farcical attempt of a handful of American residents in the smaller island to proclaim their independence of Cuba, to organize a provisional government, and to secure the admission of the Isle of Pines as a Territory into our Union, though possibly prompted by the success of the somewhat similar experiment at Panama, will meet with a very different reception from Secretary Root. Nobody knows better than the Secretary that the Isle of Pines, historically and officially, was as inseparable a part of Cuba's administrative entity as is Long Island of the State of New York; and that, whether or no our surrender of the smaller island was expressly declared to be the consideration for Cuba's concession of coaling and naval stations, the promise of such surrender was made by accredited representatives of our Government, and went far to assure the consent of the Cubans to the incorporation of the so-called Platt Amendment in their insular Constitution. We never had a moral title to retain the Isle of Pines, and the Senate is bound by the plainest dictates of honor to ratify the treaty by which we have formally acknowledged Cuba's ownership thereof.

A ratification of the Santo Domingo treaty seems much more probable to-day than it did a while ago, for the utility of our intervention in the function of collector of Dominican customs has been demonstrated to Senators by the working of the arrangement. We predicted, at the time when the treaty was negotiated, that this was one of those cases where the half would prove greater than the whole; and that the 45 per cent. of the net receipts reserved monthly for the expenses of the Morales Administration would constitute a sum materially larger than the whole monthly income from customs which previously had filtered into the insular treasury through the dishonest fingers of native

customs officials. It is equally obvious that the genuine foreign creditors, among whom 55 per cent. of the net customs revenue is to be distributed after their claims have been investigated, have gained much by the substitution of American for native collectors. There is some reason, nevertheless, to think that, before the meeting of our Congress, a revolutionary uprising will be witnessed against the Morales Government, and that the revolutionists have been furnished with the sinews of war by American speculators, who foresee that their fraudulent claims against the Dominican Government will not bear the sharp investigation for which the pending treaty provides. We have no reason to doubt, however, that the uprising will be quelled promptly by the naval force which our Government has despatched to Dominican waters. As we have said, there is ground for expecting the Senate, now fully enlightened by events, to uphold this first application of the deduction from the Monroe Doctrine which was formulated by President Roosevelt, and expounded by Secretary Root, that, in order to assure the payment of the just debts of a Latin-American Republic to foreign creditors, and, at the same time, to safeguard the debtor-commonwealth from the consequences of foreign intervention, it might become expedient for our country in its tutelary capacity to undertake the task of collecting and distributing the customs revenue of the defaulting community.

It is not as certain as it seemed some time ago that the President will urge upon Congress in his annual message immediate steps toward a revision of the tariff. He has become a thoroughly practical politician, not, of course, in a discreditable, but in a legitimate, sense of the word. He has learned to graduate objects in the order of their importance, and not to complicate his efforts to compass one of them by inopportune endeavors to promote the other. Of the two things which he has long been known to desire particularly, to wit, railway rate-making legislation and tariff revision, he now evidently considers the former as the more imperatively needed. He declined to discuss tariff revision with the representatives of the hide, leather and shoe industries of New England, who, headed by Governor Douglas, of Massachusetts, visited the White House on November 15, to advocate the admission of hides and other raw materials used in leather manufactures to the free list. He listened to their arguments; but, on the ground that his confidence had been violated by a

member of a former Massachusetts delegation, refused to say what he should do; whether, in other words, he would commend their wishes to Congress in a paragraph of his annual message, or would reserve such commendation for a subsequent special message. That he is a convert to high protectionism there is not the slightest reason to believe. He can hardly fail to have been impressed by the proof afforded at the recent election in Massachusetts of the assurance given to him in a letter from Governor-elect Curtis Guild that the Republican ticket would have been defeated overwhelmingly in the old Bay State, had not the platform, on which Mr. Guild stood, contained a plank favoring an immediate revision of the tariff. As it was, Mr. Guild received a plurality of some 23,000, whereas Mr. Draper, the Republican candidate for Lieutenant-Governor, who, as a high protectionist, was believed not to be sincere in his approval of the platform, came within less than two thousand votes of being defeated. We understand that Mr. Whitney, the Democratic candidate for Lieutenant-Governor, declares that the President's words, quoted by him on the stump, could not fairly be regarded as in any sense confidential, inasmuch as they were spoken in an official reply to the revisionist delegation, of which Mr. Whitney was a member. It is a curious fact that, while most of the Democratic members of the House of Representatives may be counted upon to support tariff revision, some of the Republican members from former slave-States—there are 23 of these—intend to oppose it, on the ground that the numerous mills, factories and manufacturing plants established in the South have converted many residents of that section to high protection. Representative Brownlow, of Tennessee, is a spokesman of such converts.

There is no doubt that a delegation by Congress to the Interstate Commerce Commission of the power to substitute, even provisionally, a railway rate for a given rate pronounced unreasonable, is to be vigorously opposed by railway interests, partly on constitutional grounds, but mainly on the score of expediency. It was pointed out last winter by President Cassatt, of the Pennsylvania Railroad, in his testimony before the Interstate Commerce Committee of the Senate, that scores of thousands of railway employees would be affected injuriously, should Congress undertake to reduce railway rates. That he was speaking by the card was proved the other day, by the appearance in Washington

of delegates of the employees of many large railway companies, for the purpose of making known to the President their conviction that political rate-making would be prejudicial to their interests. Mr. Roosevelt seems not to have been much impressed by the demonstration, but suggested that the spokesmen of the railway employees had been misinformed concerning the practical results of the proposed measure. Evidently the President's determination is unwavering to secure from Congress legislation, which, as regards interference with railway rates, shall follow substantially the lines of the Esch-Townsend bill, which was carried through the House by an overwhelming majority, but upon which the Senate omitted to act, desiring, it said, more extensive and trustworthy data, which a committee headed by Senator Elkins was instructed to procure during the recess. That Committee is expected to report soon after the meeting of the Fifty-ninth Congress, and there is no doubt that a majority of it will propose some remedy for the grievances of which shippers complain. The proposal is almost certain, however, to stop short of that delegation of power to the Interstate Commerce Commission whereof the President approves, and wherein he will doubtless be backed again by the House of Representatives.

We can hardly credit a rumor, which, however, is persistent, that Mr. Roosevelt intends to recommend in his annual message a Federal supervision of all life-insurance companies doing business in more than one State, and that Senator Dryden, of New Jersey, himself the head of the Prudential Life Insurance Company of Newark, will introduce a bill to that effect. There are but few lawyers in Washington who do not regard the unconstitutionality of such supervision as *res adjudicata*. According to their almost unanimous opinion, the United States Supreme Court will adhere to its previously recorded decision that the business transacted by life-insurance companies is not interstate commerce in the meaning of that term which the framers of the Constitution had in mind. The United States Supreme Court, however, yielding to the influence of public opinion, has reversed itself with reference to more than one important question.

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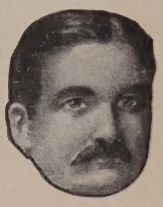

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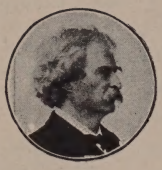

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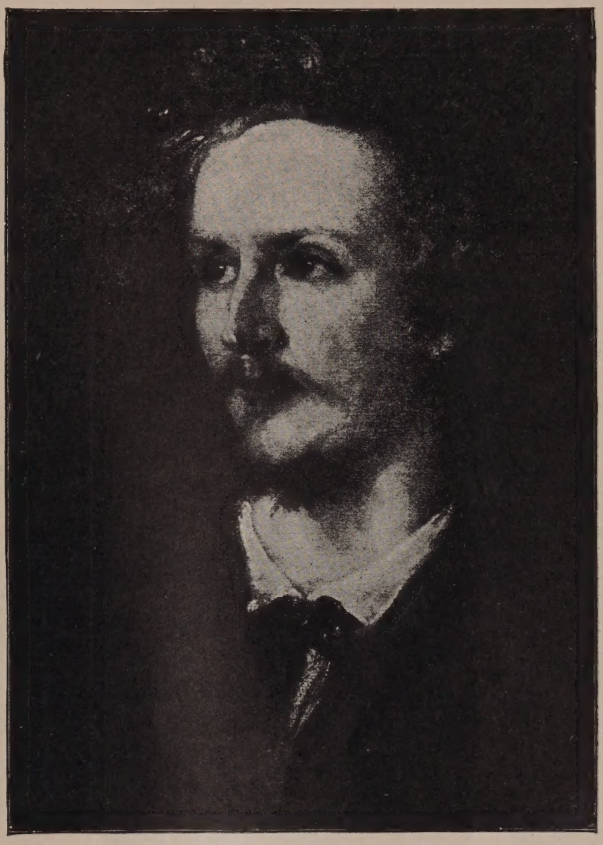

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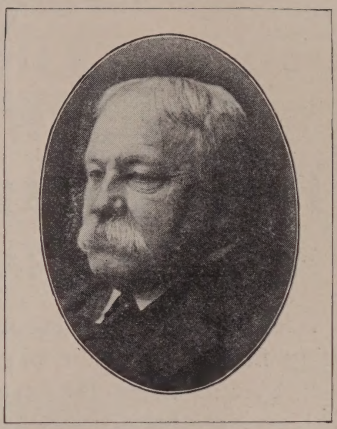

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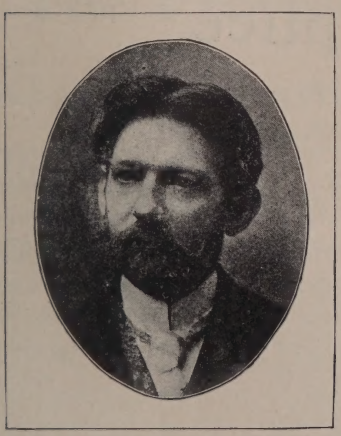

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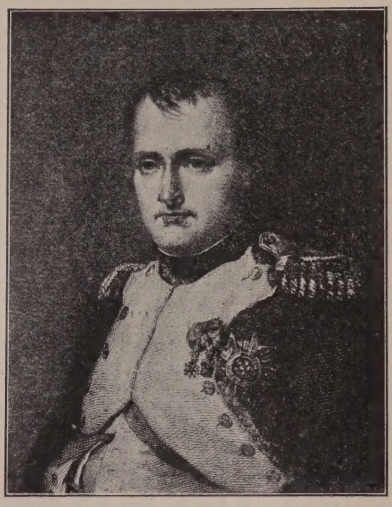

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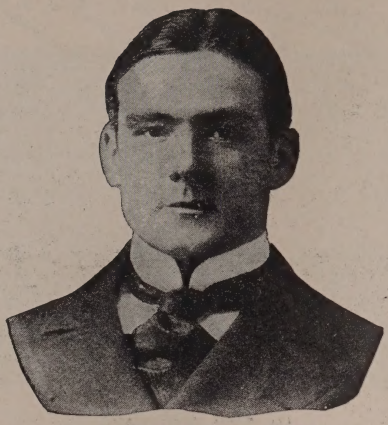

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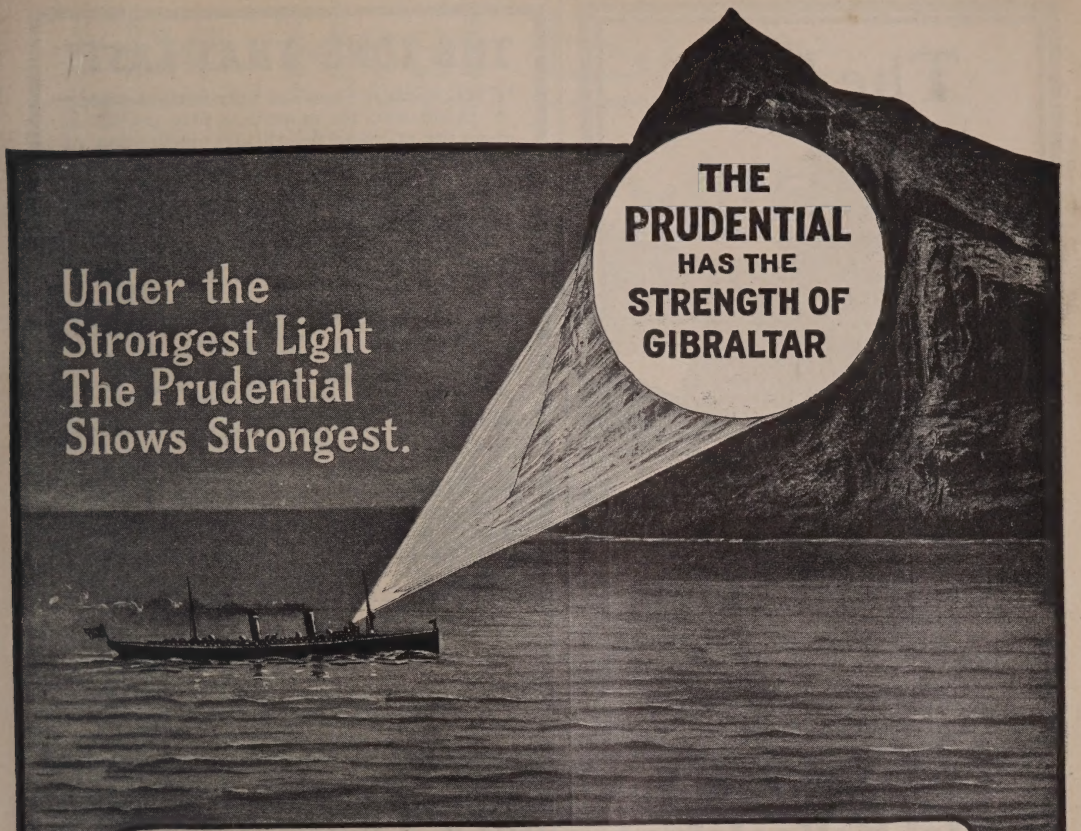

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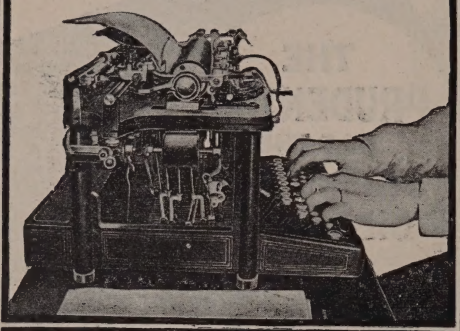

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HOME OF THE ST. PAUL COMMERCIAL CLUB.

ST. PAUL, MINNESOTA.

THERE are cities and cities. The common idea is that a heterogeneous mass of people, occupying buildings of more or less crazy-quilt architecture, makes a city.

The "Ideal City," however, is altogether of another character. It is a collection of intelligent, educated, law-abiding, God-fearing and God-serving industrious people, with high standards of religion, education and morals; clean streets, pure water, pure air, healthful and highly ornamental parks for young and old, refined amusements, with social life of the purest and highest standard; in short, everything to give comfort and rational pleasure in life, while at the same time advancing and elevating the character of its inhabitants. A location where life is worth the living and the acme of human happiness, so far as mingling with fellow-beings is concerned, is secured, and it contains attractive architecture, elegant and comfortable homes, with all the conveniences of modern civilization.

St. Paul, Minnesota, makes no effort to be a city of the class first described, but every instinct, every pulse-beat of her public life, is along the lines of the "Ideal City." St. Paul does not pad or magnify her census reports. It is quality, not quantity, that the "Ideal City" desires. When these lines are written the decennial state census has just been completed; and, while the account is not yet officially tabulated, it is unofficially announced that the population approximates 200,000, an increase of nearly 40,000 since the United States census of 1900. The substantial growth of this "Ideal City" is not due to any forced or boom efforts, but simply because the class of St. Paul's population already

secured invites others of a similar character, who wish to combine business advantages with the supreme opportunities of life which money cannot purchase. St. Paul, numerically, does not claim to be the largest Northwestern city, but in point of a high-class standard of civilization, a standard for the home, a location for reliable, sane, safe, and sure and non-speculative business, St. Paul not only claims to lead in the Northwest, but to be without an equal in the 200,000 class of the entire world.

Nature has done much to add to the beauty and charm of St. Paul. It is a trite saying that "God made the country and man made the town," the inference being that the country surpasses the town in natural beauty. This is true in a degree, but in the case of St. Paul the work of God and man has been so combined, so blended, that it is difficult to determine where the work of God ended and the work of man began. Situated on the banks of the great Mississippi River, a level plateau furnishes ample room for a city of more than one million people, while the high bluffs between which the mighty river flows supplies a picturesque landscape and natural scenic view which cannot be surpassed upon the American continent, if in the whole world. Man has taken hold of what nature has provided, and added to its beauty and utility until the traveller, looking for the "ideal" social, business home, shouts "Eureka" as the unsurpassed vision of natural and artificial advantages dawns upon him and he drops his distaff as one who has found the Ultima Thule of existence.

So much as a prologue to the tale of an "Ideal City" which combines all the elements of the good, the true and the beautiful, the business center, the depot for the trade and chief mart of the Northwest. Study the history of every important city in the world, and it will be found that there were some superior advantages which attracted the attention of those who were in it at the beginning. At the commencement of every city, large or small, there was abundant opportunity for a site elsewhere in the unoccupied surrounding region; and, with all of the immediate world before him, the pioneer weighs the natural advantages with the added possibilities of practical, artificial improvement, and, oftentimes with no real idea or thought of a city, the "ideal" spot is chosen almost by intuition.

When, sixty-seven years ago, Pierre Parant made a claim to the site of St. Paul and was followed three years later by Father Galtier, who in his religious fervor erected an ecclesiastical temple of rough, unhewn logs, there was a combination of God and man in choosing the site of the "City Beautiful" and "The City Great," in every attribute which forms a combination of business, religious and social advantages. That it was the design of the Creator of the Universe that the site of St. Paul should be notable is evidenced from the fact that insurmountable natural barriers were created in the river a few miles above the location of St. Paul, and that it was ordained from the beginning of the world that this point should be the most distant from the ocean to be reached by the craft of commerce.

It approximates a century since it was demonstrated that the head of navigation on the Mississippi River and the present site of St. Paul were synonymous. A greater than man has determined that for all the centuries to come this mighty river, with its floating commerce, shall flow unvexed from St. Paul to the sea, bearing the wealth of the Northwest to the nations of the world. While railroads may compete for, they never can control or oppress, the commerce of St. Paul, established as it is by the laws of God at the head of the mightiest river on the American continent. The early settler readily saw that the divine edict had gone forth "Thus far and no farther," and the future of St. Paul was assured for all time.

When the territory of Minnesota was organized it was simply "manifest destiny" that the general government should name St. Paul as the capital. This act made St. Paul the political center of the State in addition to its other advantages. The present year a new capitol has been completed and occupied by the State government, which was erected at a cost of four and a half million dollars. It not only surpasses in finish and magnificence of architecture any State capitol in the Union, but is the peer of any public building in Washington, not excepting the Congressional Library.

Other cities may come and strut their vainglorious and inflated careers before the world, but there will always remain one—and one only—"Ideal City" in the Northwest, and that is St. Paul, Minnesota, located at the head of navigation on the Mississippi. New Orleans, at the river's mouth, stands without a peer, as does St. Paul at its head. It is written in the laws of nature that these two cities shall stand forever without rivals or successful competition in the progress of the world.

That St. Paul is no mean city is best demonstrated by the citation of some solid facts:

The St. Paul bank clearings of last year were three hundred and twenty-five million two hundred and thirty thousand and one hundred and seven dollars. The jobbing trade and sale of manufactured products amounts annually to over three hundred million dollars. Fifty-four school buildings erected at a cost of three million dollars, four of them high schools, afford free educational facilities to thirty thousand of the youths of the city. The number of buildings are thirty-seven thousand seven hundred and ten. The number of telephones, between twelve and fifteen thousand. Two hundred churches, representing eighteen different denominations, afford religious and moral instruction. Ten great railroad systems, aggregating a mileage of sixty-six thousand four hundred and thirty-one miles, center in St. Paul, with a union depot where all passenger trains entering the city concentrate. Two hundred and sixty-nine passenger trains enter and depart from the St. Paul union depot daily, carrying from twenty to twenty-five thousand people every twenty-four hours; an average of seven thousand pieces of baggage and two hundred and twenty-five tons of mail are handled daily. These ten systems of railroads have twenty-three divisions, which are practically the same as that number of additional railroads, carrying business to and from the city. The freight-houses cover an area of five hundred and thirty-one thousand and eighty square feet, or over two miles of freight-depot frontage, averaging fifty feet in width. These depots furnish facilities for over seven hundred jobbers and manufacturers, many of whom do a business of several million dollars a year. St. Paul has forty-nine parks, the park system including one thousand and eighty-two acres. The cost of these public parks has approximated three million dollars; Como Park, alone, has four hundred and ten acres, and the new Phalen Park four hundred and thirty-six acres. Each of these two parks has a beautiful lake for its central

feature, Como Park lake covering one hundred and two acres of water area, and Phalen Park lake two hundred and twenty acres of water surface. Harriet Island is a picturesque spot on the river fronting the city, and on this island a delightful public park has been opened, with free public bath buildings, on the river, for summer use, where from three to four hundred thousand free baths are taken every season. As incidents of what is required to make an "Ideal City," it can be stated that there are seventy-five miles of paved streets, one hundred and eighty-five miles of sewerage, four hundred and twenty-five miles of sidewalks, two hundred and fifty miles of street-car tracks, the whole street-car service being a double-track system; seven hundred manufacturing establishments employ over thirty-thousand people and produce an annual output of over one hundred and twenty-five million dollars.

That this development has not been secured without great effort, time and thought, and the expenditure of millions of money, it would be untruthful to say. Among the important factors of this development is the St. Paul Commercial Club. It is a social and business organization combined. L. G. Hoffman is the president of the club, and C. P. Stine, secretary. Everything of importance in advancing the interest of the city is taken up, fostered, and pushed to successful conclusion by the club. The club has one thousand and fifty active resident members, with a large waiting-list. There are also over two hundred non-resident members of the club. A membership in this club is a mark of business and social distinction and is eagerly sought for by the active men of the community. A board of thirty active directors hold frequent sessions and are constantly on the alert for the advancement of the interest of the city.

The union stock-yards, located adjacent to St. Paul, form an important branch of industry. The receipts of live-stock from these yards aggregate over a million and a half head of live-stock annually, and involve an expenditure exceeding twenty-five million dollars.

But above and beyond all business and social considerations is the matter of health. Official statistics demonstrate beyond all contradiction that St. Paul is the healthiest city in the world. A comparative list of death-rates of the twenty-five leading cities of the country, including New York, Boston, Philadelphia, Baltimore, Chicago, and St. Louis, gives St. Paul her proud pre-eminence, the death-rate in St. Paul per 1000 being 8.92. The death-rate in New York, Philadelphia, Boston, and Baltimore is officially recorded as more than double that in St. Paul.

This supremacy in health is no accident. It is largely due to the splendid pure water system owned and operated by the city. The water is secured from a system of lakes which surrounds the city. The capacity of the water supply is fifty million gallons of water daily, and the average use is over nine million gallons per day. There are two hundred and sixty-three miles of water-mains, with two thousand four hundred and fifty-five hydrants. The total cost of the system approximates five million dollars, and no city in the country has a more generous supply, and very few as pure a supply, of water as St. Paul. The low death-rate emphasizes this fact more eloquently than words.

We have, therefore, in St. Paul, as thus depicted, a city which combines pleasure, prosperity, business success—in fact, everything which makes life worth the having and also affords the opportunity for its prolongation beyond any other point in the world. What more can a rational being desire this side of the future state?

MANUFACTURING ADVANTAGES IN MINNESOTA.

Much has been heard, much has been written, and much more will be said and written of the resources of Minnesota, which is to-day one of the most progressive states in the Union.

With rapid settlement of the Northwest, and the extension of the railroad to the Pacific Ocean, Minnesota opened up a home market and created a demand for goods to such an extent that the capacity of the present manfacturing plants situated in the State is not adequate to meet the demand. This is evidenced by the huge volume of business annually done by the jobbing-houses of Minnesota, representing, as they do, outside industries, and who sell almost every article of manufacture throughout this State, the Northwestern States and Canada, their sales aggregating millions of dollars yearly, with the trade increasing from ten to twenty-five per cent. annually in some lines of goods.

From this statement of fact, a manufacturer looking for a desirable State in which to commence business can better reach the markets of the Northwestern States and the Canadian Northwest from Minnesota than from the older states, and save the cost of freight on his manufactured product.

The territory west through to the Pacific coast comprises an empire. That region is tributary to St. Paul. The raw material obtainable in Minnesota is diversified and extensive, and water-power is abundant. Its proximity to Lake Superior ports means cheap coal. Railway rates are favorable and not prohibitory to manufacturing, consequently manufacturing industry in St. Paul and the State is rapidly increasing.

When one remembers that the State of Minnesota, a few decades since, was a frontier State, and that it now ranks twelfth among all the big states of the country in the product of its manufacturing industries, tenth in car-building, eleventh in manufacture of boots and shoes, ninth in printing, and sixth in the manufacture of butter and cheese, one is apt to wonder where is Minnesota's market.

Our national market known as the Middle and the Pacific Northwest, and which is tributary to every merchant and manufacturer located in St. Paul, contains a population of 9,263,576, has an area of 913,835 square miles, and is as important to the growth of Minnesota's manufacturing industries as the former is important for their present success. Add to this the great area of the Canadian Northwest, which will be readily accessible to this State and the city of St. Paul when reciprocity is obtained (and it will be obtained ere long), then, when all the unoccupied acres of this immense empire

shall have been filled with a thriving and prosperous farming population, the demand for manufactured and mercantile products will surely mutiply with the increase of population.

That manufacturing pays in Minnesota is apparent from the biennial report of the State Labor Commissioner for 1904:

Number of establishments	13,759
Employees	115,089
Wages paid	$37,663,409.60
Value of manufactured products	$408,129,409.00

The value of agricultural products for the year of the census of the latest figures obtainable was $161,217,304.

RETAIL.

The retail trade of St. Paul has been making rapid strides in the last few years. Within our recollection the St. Paul merchant would make one visit a year to Eastern cities and purchase his goods for the coming year; should he find himself short before his next visit, he would order from the traveling salesman. The merchant of to-day, in order to keep in touch with his trade, makes his monthly visits to the Eastern markets, or else has his buyer stationed in New York and Boston, giving us the opportunity of keeping in close touch with the latest and best in every line. Having the latest and the best that the market affords, it is then up to the retailer to display them to the best advantage, and this can be done by improving of their street fronts, making their windows attractive. Twenty years ago the retail business of St. Paul was conducted on E. 3rd Street; to-day we have Wabasha, Cedar, Minnesota, Robert, Jackson and Sibley, 4th, 5th, 6th, and 7th Streets. This has been brought about by the retailer, in his effort to secure trade, vying with his neighbor in attractive fronts, display windows, first-class stocks, competent help and close attention to the wants of customers. Now that the retailer has done all this, it then becomes a question of attracting people. Advertising is one medium, railroad and surburban lines another. A greater medium and one that has been neglected by St. Paul are proper places of amusement. It is only within a few months when a place of amusement that would attract thousands of people was offered to our city and the proposition coldly turned down. The merchant of St. Paul, in order to be successful, must lend a hand in making the city attractive, and that can only be accomplished by creating places of public amusement—an auditorium, high-class vaudeville at moderate prices, first-class hotel accommodations, easy access to and from the depot, opportunities for strangers to see the city; and let me suggest here that the leading retail houses should each in turn give a free automobile excursion to the strangers coming into the city, and show how that might be done. There are at present about 400 automobiles in the city, and, say that fifteen were asked to allow the use of their machines for two hours one day in the week, excursions could be given for three months and not ask the use of the same machine twice. I might further suggest on that line that, as a compensation to the automobile owners, the merchants take a more lively interest in the question of good roads, see that the moneys allowed for that purpose are expended in the proper direction, and that the expenditures therefor be increased by legislation.

FARM LANDS IN MINNESOTA.

The greatest conspiracy of civilization is effected when the right man plants an honest dollar in honest soil. In the evolution of things human institutions may pass away, but the hills and the valleys and the prairies lie forever under the sun, awaiting only the touch of human industry to make them contribute vitally to the wealth and well-being of men and the progress of the world.

It is hardly too much to say that the majority of men who have come to financial affluence are men who made their first stake by investing their first savings in land and then watching the interest in that investment pile up day by day in increased value of land until every foot of it was yielding tenfold more than it cost. The man who gets in on the ground-floor of a new country and grows up with it and in it is generally the man who has something to show for his life of effort in later years.

There has never been a time in the history of this country when there was a wider interest manifested by the ordinary man in the all-absorbing question of homeseeking. There has never been a time when it was easier for a man to find a good, suitable location for the investment of his money in farm lands. The progress of civilization has done away with many of the pioneer hardships, even in the more remote and less thickly settled portions of the country, and at the same time the opportunity to buy land at a figure which insures its future increase in value is greater now than it has been for some years.

With the ever-increasing population, with the steady immigration from foreign shores, and with the growing desire on the part of city workers to own country homes, the tide of homeseekers has grown to tremendous proportions. This means that the next few years will see the best of the lands now open for settlement settled upon permanently and the best opportunities will have disappeared.

CHAMBER OF COMMERCE.

For the past few years the trend of immigration has been towards the great Northwest. This is particularly true at the present time. Land in this great and fertile section is increasing in value every day. The movement into the Northwest is in accord with the general law. It is a normal and substantial fact.

ST. PAUL REAL ESTATE THE BEST INVESTMENT.

When the depression caused by hard times has passed away and a healthy reaction has set in, then is the time to make purchases that will result in handsome profits.

Real estate in St. Paul has been at abnormally low prices for some years past, and the return of prosperity is just beginning to make itself felt in the real-estate market, the last always to feel the effect of a revival. Los Angeles, Winnipeg, Omaha and some other cities are having regular "booms," while in St. Paul the prosperous condition of the country is so far manifest in the volume of business done rather than in any marked advance in prices.

The following comparison of the real-estate transfers for the first six months of this year with a corresponding period of last year will demonstrate this; the number of transfers being proportionately greater than the amounts they represent:

	1904	1905
January	$259,605	$647,510
February	290,260	412,368
March	306,130	467,444
April	549,828	754,361
May	508,489	916,058
June	827,444	963,326
	$2,741,756	$4,161,337

It is inevitable that this increase in the volume of business should result in the near future in a rise in prices, and, while no "boom" is desired, a well-founded, normal advance in values is to be welcomed, and is sure to come.

The desirability of St. Paul as a location for homes is adding constantly to the population, and is another factor in causing the demand that makes values rise. The State census, now nearly completed, is estimated to show a population for St. Paul of 200,000, an increase of nearly 40,000 in the last five years.

Its healthful and charming summer climate, the popular lake resorts and amusement centers, in close proximity to the city, the number of suburban homes rendered accessible by its admirable electric railway system, and its water supply, which in abundance and purity is not surpassed by that of any city in America, all contribute to make it an ideal place for a home.

The immense immigration of the past few years has gone mostly to people up the great Northwest, and it is to St. Paul, the great jobbing center of this section of the country, that this new population looks for supplies and a market.

Seven railroad lines from Chicago center here and connect with the two great trunk lines to the Pacific coast, which are continually spreading out and ramifying the great agricultural region tributary to St. Paul.

In scenic beauty St. Paul holds a high position among the cities of the country, and its hilly topography and perfect sewerage system render the sanitary problem a comparatively simple one.

St. Paul has the State capitol, and the beauty and magnificence of this building is already making the city a Mecca for the people of Minnesota, and making Minnesota famous among the states; and deservedly so, for not more than two buildings in the entire country can compare with St. Paul's superb marble, dome-crowned structure.

The opportunity for making good profits in real estate is as favorable as in 1883, and now is the time to take advantage of it.

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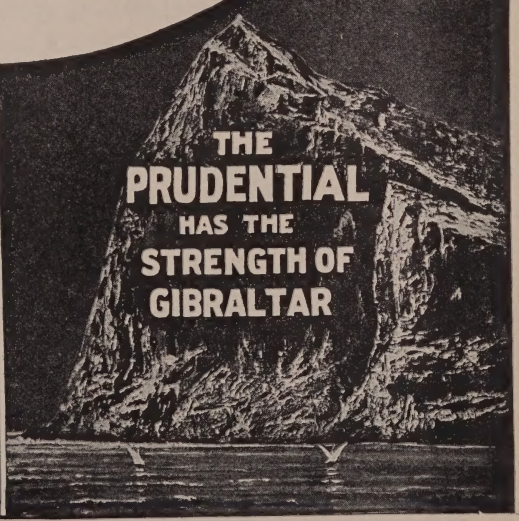

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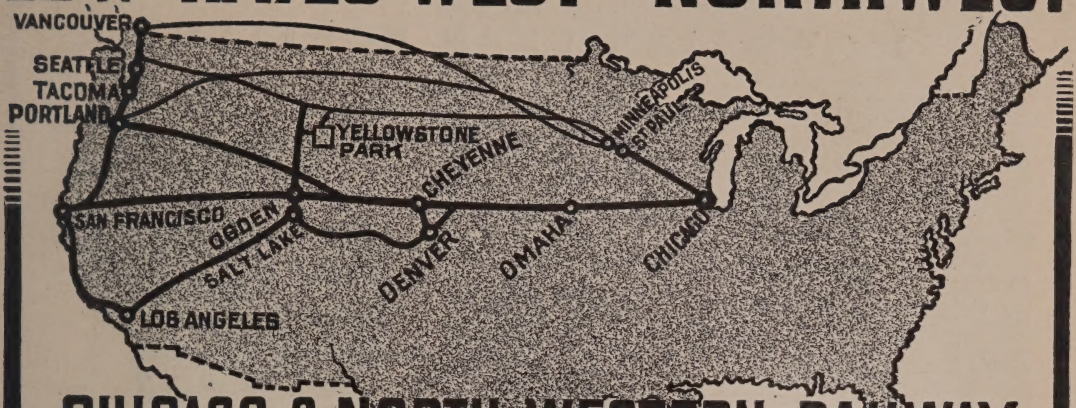

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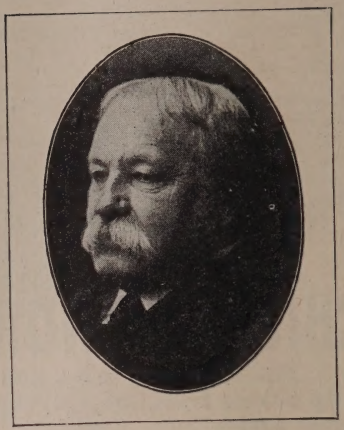

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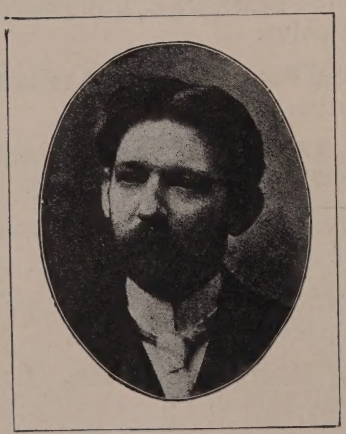

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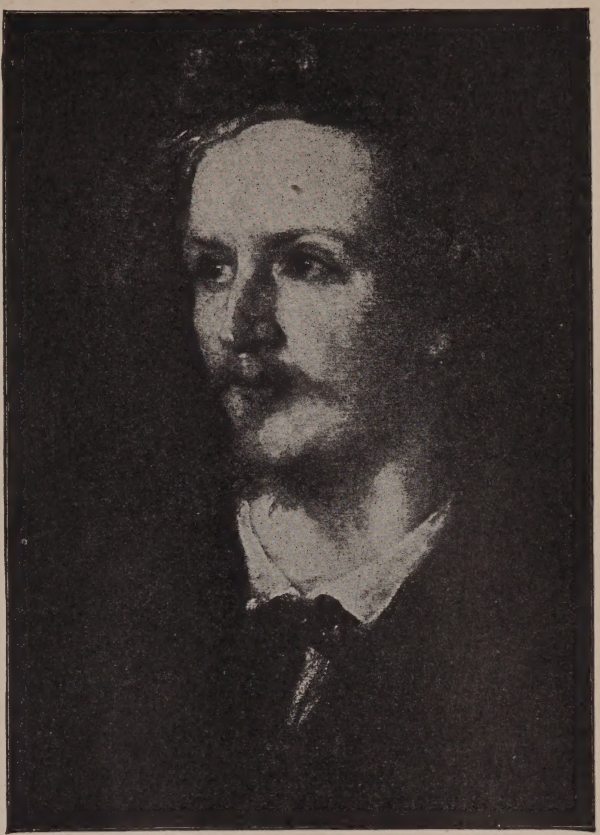

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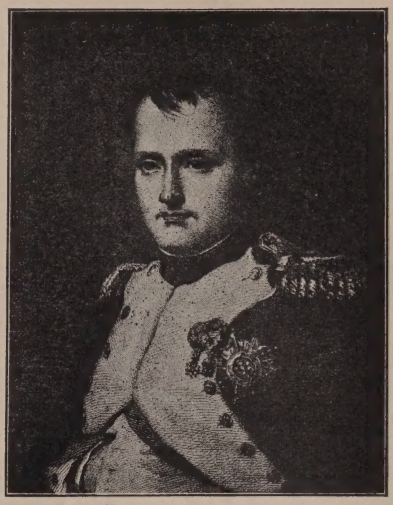

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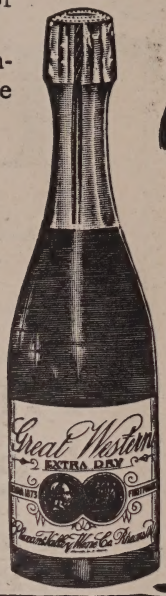

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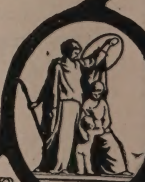

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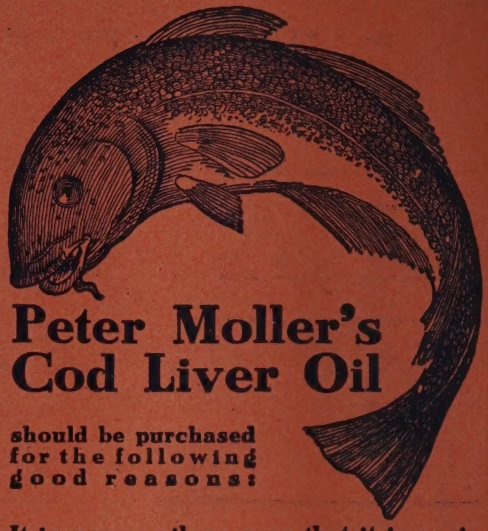

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